

Allensmore Neighbourhood Development Plan (NDP)

Basic Conditions Statement

(Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)



Allensmore Parish Council

With assistance from



1.0 Introduction

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

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).

b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.

c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.

d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.

e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.

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

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

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

2.0 Legal Requirements

2.1 The Submission Plan is being submitted by a qualifying body

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

2.2 What is being proposed is a neighbourhood development plan

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

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

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2011 to 2031 (the same period as the adopted Herefordshire Local Plan Core Strategy 2011 - 2031).

2.4 The policies do not relate to excluded development

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

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

The Neighbourhood Plan proposal relates to the designated Allensmore Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The designated Neighbourhood Plan Area is slightly smaller than the parish as it excludes a small area of the parish south of Clehonger which has been included in the Clehonger neighbourhood area. The designated neighbourhood area shown on Map 1 in the NDP.

3.0 Basic Conditions

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

The Allensmore Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, February 2019)².

2. Achieving Sustainable Development

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

Table 1 sets out how the Allensmore NDP delivers the 3 overarching Objectives:

Table 1 Delivering Sustainable Development

NPPF Overarching Objectives	Allensmore NDP Policies and Proposals
<p><i>a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</i></p>	<p>Allensmore NDP includes policies which support suitable economic investment and growth, taking into account the area's rural location and character and constraints such as poor transport infrastructure, drainage and flooding problems.</p> <p>Objective 3 FARMING AND OTHER BUSINESS: is to encourage new business initiatives which promote the economic well-being of the parish provided that they are in scale with, and sensitive to, the rural character of the locality and any effect on residents' wellbeing or the environment is minimal.</p>

² <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

	<p>Policy A6 - Conversion of Former Agricultural Buildings supports sensitive conversions of redundant for suitable new economic uses provided local residential amenity is protected and designs are sensitive and sustainable.</p> <p>OBJECTIVE 4: COMMUNITY FACILITIES AND INFRASTRUCTURE is to sustain and enhance existing community facilities whilst supporting investment in safe and appropriate new infrastructure as needed and desired by residents and businesses.</p> <p>This will be partly addressed through Policy A7 – Drainage, Flooding and Sewage which has been prepared to ensure development proposals include suitable infrastructure taking account of the lack of mains drainage in the parish, high water tables and increased flood risk from surface water in some locations.</p>
<p><i>b) a social objective –to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</i></p>	<p>Allensmore NDP recognises the importance of contributing to the social sustainability of the local community.</p> <p>The NDP identifies a settlement boundary and proposed housing sites to help deliver the housing requirement for the Parish as set out in the adopted Core Strategy. The Plan also supports development which provides the right type and size of housing to meet local needs and to support the sustainability of the local community.</p> <p>OBJECTIVE 1: HOUSING is to develop policies, within the framework of Herefordshire's Core Strategy, which deliver proportionate growth, and which ensure that new housing development preserves and enhances aspects that people value, and makes optimum use of sustainable technologies whilst meeting the current and future needs of both residents and businesses.</p>

	<p>This objective will be delivered through several housing related planning policies. NDP Policy A3 includes the identification of settlement boundaries for Winnal, Allensmore and Cobhall Common and the proposed housing site allocations, which, taken together will exceed the minimum housing target for the parish.</p> <p>Policy A4 sets out criteria for new housing development within the settlement boundaries and Policy A5 sets out the proposed housing mix and density taking account of local need and the responses to community consultations during the preparation of the Plan.</p> <p>Objective 4 COMMUNITY FACILITIES AND INFRASTRUCTURE aims to ensure that existing community facilities and infrastructure are protected and enhanced, taking into account likely growth over the plan period.</p> <p>Policy A8 identifies existing community facilities in the parish for protection and supports investment in improved facilities.</p> <p>A number of complimentary non planning actions are also identified in an appendix. These would help to provide a safer, more pedestrian and cyclist friendly environment by addressing traffic speeds and impacts. Other proposals would support cultural wellbeing for instance increasing use of the church and a local hall and setting up a local history group.</p>
<p><i>c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>Allensmore NDP has a strong emphasis on environmental sustainability, reflecting its location within the beautiful Herefordshire countryside and the area's many built and natural heritage assets.</p> <p>OBJECTIVE 2: THE ENVIRONMENT is to ensure that all housing and business development preserves, and, where possible, enriches the character of the parish and protects the landscape, so that its impact</p>

	<p>on the environment is minimised, with particular reference to water, sewage and soil management, as well as energy and water conservation.</p> <p>The NDP describes the local landscape and built character of the parish and includes Policy A1 which requires development proposals to consider landscape character, green open spaces and open views to the hills which are an important feature of the area. The policy notes that hedgerows, mature trees, woodlands, ponds and traditional orchards are important local landscape features and should be retained wherever possible and incorporated into designs. Developments are also encouraged to use traditional local materials to reflect existing character.</p> <p>Policy A2 aims to protect and enhance local wildlife and sets out how landscaping and building design should enhance habitats and lighting should be sensitive to the dark skies which are a characteristic of the area.</p> <p>Sustainable designs are encouraged in Policy A4. This sets out that proposals should include modern and innovative designs incorporating sustainable design technologies to maximise resource and energy efficiency, where they minimise any adverse impacts on local character and setting.</p>
--	--

Paragraph 13 explains that the application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.

3. Plan Making

In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address. Table 2 sets out how the Allensmore NDP addresses each of these in turn.

Table 2 Plan Making

NPPF Plan Making	Allensmore NDP
a) be prepared with the objective of contributing to the achievement of sustainable development;	The Allensmore NDP has been prepared to contribute to sustainable development; Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.
b) be prepared positively, in a way that is aspirational but deliverable;	<p>The NDP has been prepared positively to support new housing development to meet the minimum housing target in the Core Strategy.</p> <p>The Parish Council, through the Steering Group, has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable and appropriate development. Policy criteria have been prepared through a thorough approach to community engagement and reflect local aspirations for high quality design which considers local context and character.</p> <p>The proposed housing sites were put forward by local landowners and the proposed housing number and criteria for each site were prepared following consideration of the technical site assessments, informal consultations with local residents and representations from landowners.</p>
c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;	All the policies have been prepared through an extensive and thorough approach to community engagement. This has led to a relatively high proportion of local people taking part in questionnaires and surveys as the Plan has moved forward through the process.

The accompanying Consultation Statement sets out the details of the extensive, wide ranging and multiple community consultation and engagement activities which have been undertaken since 2017 at all stages of the Plan's preparation.

Briefly this has included:

- A launch event on 29th July 2017 attended by 64 local people who were invited to record comments on post-it notes
- Issues and Options consultation in January 2018 with a Drop In event on 28th January. This invited residents and stakeholders to consider the scope and content of the proposed NDP, including whether to include site allocations for new housing.
- Call for site process during March and April 2018 inviting local landowners and agents to put forward housing sites for consideration
- First Draft Plan (Preferred Options) Consultation, January 2019 - the emerging draft policies and proposed site allocations were published for 3 weeks informal public consultation from 8th - 31st January 2019 and another Drop In was held on 21st January.
- Regulation 14 consultation on the Draft Plan from 27th May until 12th July 2019.
- Steering group meetings were held most months and publicised.

Consultations were promoted using response forms and summaries delivered to local households, with full printed copies of documents provided at St Andrews Church, the village hall and the community library in the former Cobhall Common phone box. For Regulation 14, notifications were delivered to every household. A few printed copies of documents were also available to borrow on request from NDP Steering Group members.

	At each consultation stage representations have been considered carefully and appropriate amendments to the NDP made.
d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;	<p>The NDP policies and proposals have been prepared by a Steering Group on behalf of the Parish Council, with support from a planning consultant and planning officers at Herefordshire Council.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner may recommend further changes to wording following the examination process.</p>
e) be accessible through the use of digital tools to assist public involvement and policy presentation; and	<p>Updates and documents have been provided on the NDP website at all stages of plan preparation.</p> <p>Responses by email were invited at informal and formal consultation stages.</p>
f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).	The NDP has been amended and updated to reduce duplication with policies in the Herefordshire Local Plan Core Strategy and duplication with national policies. Again, it is understood that the Examination may lead to further changes to policies and supporting text.

The Plan Making Framework

Paragraph 18 sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies. The Allensmore NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Herefordshire Local Plan Core Strategy. The supporting text for the NDP policies refers to the relevant strategic policies.

Non-strategic policies

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

Allensmore NDP supports development in line with Local Plan Core Strategy Policy RA1 Rural housing distribution. Allensmore is in the Ross-on-Wye rural Housing Market Area rural HMA which has a 14% indicative housing growth target over the plan period up to 2031. This equates to 32 additional homes in Allensmore parish as a whole. Taking into account completions and commitments there was a need for the NDP to support at least 12 appropriate additional homes by 2031. Following confirmation from Herefordshire Council that the net figure has reduced further during 2018/2019, the NDP has already exceeded the minimum housing target provision.

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

5. Delivering a sufficient supply of homes

Paragraph 65 sets out that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. The Allensmore NDP has been prepared in the context of Herefordshire Local Plan Core Strategy Policies RA1 and RA2 and demonstrates that the requirement of 32 dwellings (14% growth target) will be exceeded through allocations and possibly windfall development.

Allensmore is located within a rural area. Paragraph 78 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The NDP supports this principle by guiding new development proposals to within the identified settlement boundaries of Winnal, Cobhall Common and Allensmore. Winnal is one of the settlements which will be the "main focus for proportionate housing development" (Table 4.14 in the Core Strategy). The settlements of Allensmore and Cobhall Common are identified as "Other areas where proportionate development is appropriate" (Table 4.15 in the Core Strategy).

6. Building a strong, competitive economy

Paragraph 83 advises that in rural areas planning policies should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. The Allensmore NDP supports appropriate economic development in the rural area by including a policy to promote re-use of redundant agricultural buildings for suitable businesses.

8. Promoting healthy and safe communities

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The NDP includes policies which protect and encourage investment in local facilities and sets out non planning proposals in an appendix to address traffic problems in the area and support a safer environment for walkers, cyclists and horse riders. As a result of the NDP process and residents' concerns, these Appendix V issues have now been delegated by the Parish Council to a separate traffic/road safety committee under the "Allensmore Matters" initiative which covers a range of non-planning issues.

9. Promoting sustainable transport

Paragraph 102 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. Actions for the parish council include endeavouring to promote a new footway / cycleway along the A465 between Lock's Garage (the nearest local shop and petrol station) and Belmont.

11. Making effective use of land

Paragraph 118 advises that planning policies should a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside; and b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production. The Allensmore NDP supports habitat protection and enhancement in Policy A2.

12. Achieving well-designed places

Paragraph 124 explains that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 125 goes on to say that design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. The Allensmore NDP includes several detailed policies which together promote high quality design which responds to existing character and context. All policies have been prepared with the close involvement of the local community.

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

Paragraph 148 advises that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 151 goes on to set out that to help increase the use and supply of renewable and low carbon energy and

heat, plans should c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers and in paragraph 152, local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning. Allensmore NDP includes Policy A4 which supports development where modern and innovative designs incorporate sustainable design technologies to maximise resource and energy efficiency, and which minimise any adverse impacts on local character and setting.

Planning and flood risk

Paragraph 157 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques). Allensmore is affected by surface water flooding, high water tables and a lack of access to mains drainage. NDP Policy A7 sets out that development proposals will not be supported unless they can demonstrate with evidence of suitable foul and surface water drainage systems and that development will not contribute to surface water flooding.

15. Conserving and enhancing the natural environment

Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. Policy A2 aims to protect and enhance local wildlife and sets out how landscaping and building design should enhance habitats and lighting should be sensitive to the dark skies which are a characteristic of the area.

Ground conditions and pollution

Paragraph 180 sets out that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes considering such matters as noise and light pollution. Policy A6 whilst supporting conversions of redundant agricultural buildings for new uses, protects local residential amenity from "bad neighbour" agricultural practices.

16. Conserving and enhancing the historic environment

Paragraph 184 advises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 185 goes on to say that plans

should set out a positive strategy for the conservation and enjoyment of the historic environment. Policy A4 requires designs to be sensitive to any nearby built heritage assets such as the church and other Listed Buildings and for new developments, extensions and conversions to be designed sensitively to respond to the setting of the site, and reflect the rural character of neighbouring buildings, using appropriate materials.

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

The NDP notes that there are 23 listed buildings in the Parish. Where proposed housing sites could affect the setting of heritage assets this is noted and addressed in policy criteria.

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

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

The NDP area does not include a conservation area.

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

3.4 d. Contributes to the Achievement of Sustainable Development

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

3.5 e. In General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the adopted Herefordshire Local Plan Core Strategy 2011-2031. Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the Local Plan.

Table 3 General Conformity with Strategic Planning Policies in the Herefordshire Local Plan Core Strategy 2011 - 2031

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>Draft Policy A1 – Protecting and Enhancing Local Landscape Character</p> <p>Development proposals will be required to demonstrate how siting and design have taken into consideration local landscape character.</p> <p>Significant Views</p> <p>Residents value the green spaces within the settlement areas as well as the sweeping nature of views to the outlying hills, both of which make an important contribution to the landscape character of the parish. Development proposals should therefore respect the open nature that green spaces provide within the settlements as well as sustaining the widespread views over fields to surrounding hills such as Garway, Hay Bluff and the Black Mountains.</p> <p>Where necessary, a Landscape and Visual Impact Assessment or similar studies may need to be carried out to ensure that any scheme is designed and sited sensitively and appropriately.</p> <p>Landscaping Schemes</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. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest; • historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings; 	<p>NDP Policy A1 requires development to demonstrate how siting and design have taken into consideration local landscape character. Schemes should be sited and designed to take into consideration significant local views and include landscaping schemes and built form to be sensitive to the local area.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires development proposals to conserve and enhance landscape and heritage assets and Policy LD1 which provides broad, strategic criteria to protect landscape and townscape at a Herefordshire level.</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>Development proposals should include landscaping schemes which protect and enhance the distinctive rural landscape character of the Parish. Hedgerows, mature trees, woodlands, ponds and traditional orchards are important local landscape features and should be retained wherever possible and incorporated into designs.</p> <p>Local Built Character (see also Policy A4, Criteria for Development)</p> <p>Development should respond to the dispersed local settlement pattern, with buildings provided at low densities in large plots and set back from the road side with front gardens and on-site parking areas.</p> <p>Traditional materials such as red brick or sandstone should be used in new development, conversions and extensions to ensure development is sympathetic to the local vernacular and surrounding rural character of buildings.</p>	<ul style="list-style-type: none"> • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity; • physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation. <p>The management plans and conservation objectives of the county’s international and nationally important features and areas will be material to the determination of future development proposals. Furthermore assessments of local features, areas and sites, defining local distinctiveness in other development plan documents, Neighbourhood Development Plans and Supplementary Planning Documents should inform decisions upon proposals.</p> <p>Policy LD1 – Landscape and townscape</p> <p>Development proposals should:</p> <ul style="list-style-type: none"> - 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; 	

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<ul style="list-style-type: none"> - 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 important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure. 	
<p>Policy A2 – Protecting and Enhancing Local Wildlife</p> <p>The priority for new development should be to avoid harmful impact on biodiversity, but in exceptional circumstances, where impact cannot be avoided, then mitigation measures should be provided.</p> <p>Development proposals should demonstrate how biodiversity will be protected and enhanced, including wildlife in the neighbourhood area as set out in paragraphs</p>	<p>Policy LD2 – Biodiversity and geodiversity</p> <p>Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:</p> <ol style="list-style-type: none"> 1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows: a) Development that is likely to harm sites and species of European Importance will not be permitted; b) Development that would 	<p>Policy A2 seeks to protect local biodiversity and wildlife as identified in the NDP including ecological networks and statutory and non-statutory locally designated wildlife sites and habitats. Landscaping schemes, building and lighting should all support wildlife.</p> <p>This is in general conformity with Core Strategy Policy LD2 which requires development to conserve, restore and enhance biodiversity.</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>5.1.9 and 5.1.10, ecological networks along water courses and hedgerows, and statutory and non-statutory locally designated wildlife sites and habitats.</p> <p>Landscaping</p> <p>Landscaping schemes should include wildlife enhancements wherever possible, for example incorporating ponds, retaining existing areas of woodland and hedgerows, and planting new tracts using locally appropriate native species. Where appropriate, planting of wildflower meadows is supported.</p> <p>Buildings</p> <p>Development should take into consideration the need to protect and encourage wildlife which may be using the building(s) as habitats, such as barn owls which are known to nest locally.</p> <p>Lighting</p> <p>Lighting schemes should be designed sensitively to reduce any adverse impact on wildlife and to protect the dark skies which are characteristic of this rural area.</p>	<p>be liable to harm Sites of Special Scientific Interest or nationally protected species will only be permitted if the conservation status of their habitat or important physical features can be protected by conditions or other material considerations are sufficient to outweigh nature conservation considerations;</p> <p>c) Development that would be liable to harm the nature conservation value of a site or species of local nature conservation interest will only be permitted if the importance of the development outweighs the local value of the site, habitat or physical feature that supports important species.</p> <p>d) Development that will potentially reduce the coherence and effectiveness of the ecological network of sites will only be permitted where adequate compensatory measures are brought forward.</p> <ol style="list-style-type: none"> 1. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and 2. creation of new biodiversity features and wildlife habitats. <p>Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and prevention of</p>	

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	adverse impacts on, biodiversity and geodiversity features.	
<p>Policy A3 – Proposed Site Allocations</p> <p>The following sites are identified as Preferred Options for new housing development, subject to the criteria in the policy set out for each site. The sites are identified on Maps 2, 3 and 4.</p> <p>Site 1, Cats Whiskers Boarding Cattery, Winnal - see Map 2.</p> <p>This site is considered suitable for the development of 1 dwelling, provided that:</p> <ol style="list-style-type: none"> 1. Site layouts reflect the characteristics of the local area with properties set back from the road and accessed by driveways. 2. Development is sited and designed to minimise overlooking of existing neighbouring properties and local residential amenity is protected. <p>Development of holiday accommodation (C1) would also be acceptable on this site.</p> <p>Site 4, Willoughby Cottage Garden, Winnal - See Map 2.</p> <p>This site is considered suitable for the development of 1 dwelling, provided that:</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>NDP Policy A3 identifies a number of housing sites across the 3 settlements for market housing to meet the minimum housing target for the parish as set out in the Core Strategy.</p> <p>Allensmore NDP area and parish lies within the Ross-on-Wye rural HMA. Core Strategy Policy RA1 identifies a housing growth target of at least 14% for Ross-on-Wye rural Housing Market Area. This has been exceeded in Allensmore NDP area through recent developments and existing commitments which leave a net housing requirement of -3. However this is a minimum target and the Parish Council is committed to some further growth to provide for local needs and to support local services.</p> <p>The NDP Policy is in general conformity with Core Strategy Policy SS2 which sets out the strategic housing requirement for Herefordshire and Policy RA2 which includes criteria for new development in identified settlements, including Winnal, Allensmore and Cobhall Common. The site allocations include criteria for each of the identified sites and the proposed density of new development is</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>1. Safe and suitable access is provided from the road.</p> <p>2. Any removal of existing established mature hedgerows or trees for access or development of the site is offset by replacement planting of suitable local species to enhance biodiversity.</p> <p>Site 6, Church Road, Allensmore - see Map 3.</p> <p>This site is considered suitable for the development of up to 2 dwellings, provided that:</p> <p>1. Suitable and safe access is provided from Church Road.</p> <p>2. Development proposals provide effective surface water drainage measures to protect existing and future residential areas in the Church Road area from flooding. New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. Sustainable drainage systems (SuDS) should be implemented in accordance with the SuDS hierarchy unless deemed inappropriate.</p> <p>Site 14, South of Winnal Farm, Winnal - see Map 2.</p> <p>This proposed site is significant in scale and development of the entire area may not be</p>	<p>The use of previously developed land in sustainable locations will be encouraged. Residential density will be determined by local character and good quality design. The target net density across the county is between 30 and 50 dwellings per hectare, although this may be less in sensitive areas.</p> <p>The broad distribution of new dwellings in the county will be a minimum of:</p> <p>Place: Rural settlements – see list in Place Shaping section</p> <p>Facilities: More limited range of services and some limited development potential but numerous locations</p> <p>New homes: 5,300.</p> <p>Policy RA1 – Rural housing distribution</p> <p>In Herefordshire’s rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county’s housing needs. The development of rural housing will contribute towards the wider regeneration of the rural economy.</p> <p>New dwellings will be broadly distributed across the county’s rural areas on the basis of</p>	<p>included to help ensure the existing relatively low densities of the rural area are maintained.</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity						
<p>appropriate. Development of part of the site for 13 dwellings is supported provided that:</p> <ol style="list-style-type: none"> 1. Development proposals include suitable screening and landscaping to protect long distance views towards the site from all directions, taking into account the site's prominent location within the landscape which has an open, rural character. 2. Built form is concentrated in the south east corner as this area is considered to have a lower landscape sensitivity and adjoins existing built form at Chimney Meadows. Site 15, Cobhall Lane, Cobhall Common - see Map 4. <p>This site is considered suitable for the development of up to 4 dwellings. The capacity of the site is constrained by Cobhall Lane which is a high sided single track road with limited passing spaces. Residential development will be supported provided that:</p> <ol style="list-style-type: none"> 1. Development proposals are designed and sited to integrate well with the existing built form and reflect the local linear settlement pattern. 2. Residential amenity of existing local neighbouring properties is protected and development is set back from the roadside to maximise separation distances and reduce overlooking of properties on the other side of the lane. 	<p>seven Housing Markets Areas (HMA) and as illustrated in Figure 4.13 This acknowledges that different areas of Herefordshire have different housing needs and requirements.</p> <p>The 5,300 dwellings will be delivered throughout the rural HMAs as set out in the table below. The indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of neighbourhood development plans in the county. Local evidence and environmental factors will determine the appropriate scale of development.</p> <table border="0" data-bbox="887 810 1447 1059"> <tr> <td>Rural HMA</td> <td>Ross on Wye</td> </tr> <tr> <td>Approximate number of dwellings 2011 - 2031</td> <td>1150</td> </tr> <tr> <td>Indicative housing growth target (%)</td> <td>14%</td> </tr> </table> <p>Policy RA2 – Housing in settlements outside Hereford and the market towns.</p> <p>To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those</p>	Rural HMA	Ross on Wye	Approximate number of dwellings 2011 - 2031	1150	Indicative housing growth target (%)	14%	
Rural HMA	Ross on Wye							
Approximate number of dwellings 2011 - 2031	1150							
Indicative housing growth target (%)	14%							

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>3. Any removal of existing established mature hedgerows or trees for access or other development of the site is offset by replacement planting of suitable local species to enhance biodiversity.</p> <p>Site 20, Cobhall Common - see Map 4.</p> <p>This site is considered suitable for the development of up to 8 dwellings provided that:</p> <ol style="list-style-type: none"> 1. Development reflects the existing pattern and grain of nearby development where houses are set in large plots, and development is of a low density (below 30 dwellings per hectare). 2. Proposals are well integrated with the existing settlement pattern and continue the linear form of the village. 3. The design and layout of the development minimises overlooking of existing nearby properties and protects local residential amenity. <p>Site 16, Court Plocks - Barn Conversion</p> <p>This site is considered appropriate for a single dwelling through the conversion of the existing barn at Court Plocks from agricultural use to residential use.</p>	<p>settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned.</p> <p>The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.</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; 	

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>Any proposed conversion should be of a high quality design which is sensitive to the barn's existing character.</p>	<p>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> <p>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.</p> <p>Figure 4.14: The settlements which will be the main focus of proportionate housing Development</p> <p>Ross-on-Wye: Winnal</p> <p>Figure 4.15: Other areas where proportionate development is appropriate</p> <p>Ross-on-Wye: Allensmore, Cobhall Common</p>	
<p>Policy A4 – Criteria for Development in Settlement Boundaries</p>	<p>Policy RA2 - as above.</p>	<p>NDP Policy A4 identifies settlement boundaries for Winnal, Allensmore and Cobhall Common and sets out locally</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>In addition to the identified site allocations, proposals for new housing development within the identified Settlement Boundaries for Allensmore, Cobhall Common and Winnal (as shown on Maps 2, 3 and 4) will be supported where:</p> <ol style="list-style-type: none"> 1. Development is small in scale preferably no more than 3 dwellings, on small infill sites of single depth (that is, not behind other houses), and where possible on brownfield sites where the new housing development will not be adversely impacted by existing agricultural or commercial activities and vice versa; 2. Properties and extensions are no more than two storeys in height and reflect the character of the settlements with housing set back in large plots (appropriate to the size of the dwelling) and interspersed amongst green spaces. Considerations include size, scale, density, layout and landscaping; 3. Design is sensitive to any nearby built heritage assets such as the church and other Listed Buildings; 4. New developments, extensions and conversions are designed sensitively to respond to the setting of the site, and reflect 		<p>appropriate criteria to guide new development proposals.</p> <p>This is in general conformity with Policy RA2 which sets out criteria for new development in identified settlements, including Winnal, Allensmore and Cobhall Common.</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>the rural character of neighbouring buildings, using appropriate materials;</p> <p>5. Modern and innovative designs incorporate sustainable design technologies to maximise resource and energy efficiency, and which minimise any adverse impacts on local character and setting;</p> <p>6. Sites have suitable and safe access. The impact of additional traffic from development proposals on existing rural roadworks should be carefully considered and suitable measures should be proposed to encourage appropriate traffic speeds;</p> <p>7. Sufficient provision is made for adequate off-street parking where development is accessed from narrow rural roads. In addition, and where feasible, the construction of designated passing places is encouraged on road frontages, so as to prevent damage to verges and drainage ditches from encroaching cars;</p> <p>8. Provision of small-scale office facilities to accommodate home working within residential development will be considered favourably within the above context.</p>		

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>9. Consideration should be given to the possibility of encountering contamination on sites as a result of former uses and specialist advice be sought should any be encountered.</p>		
<p>Policy A5 – Housing Mix</p> <p>All proposals for new housing development and conversions of non-residential buildings to residential uses should demonstrate how they help to maintain a suitable mix of tenure, type and size of dwelling in Allensmore.</p> <p>Proposals should demonstrate how they respond to local needs for family housing (3 bedrooms), starter homes of one or two bedrooms, and housing for older people. Whilst plot size should have regard to local density calculations (see 5.2.14), the actual plot density should be considered according to the type and size of dwelling being proposed, so as to balance the need for efficient use of available plots.</p> <p>Any proposals which trigger the threshold for an affordable housing³ requirement should integrate both the affordable housing and market housing across the site.</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; 	<p>NDP Policy A5 sets out that new development should contribute to a suitable mix of tenure, type and size of dwellings. In particular the need for family housing (3 bedrooms), starter homes of one or two bedrooms, and housing for older people is noted.</p> <p>This is in general conformity with Core Strategy Policy H3 which requires residential developments to provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities.</p>

³ See Appendix IV - Definition of Affordable Housing

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<p>ensuring that developments contain a range of house types, including where appropriate, bungalow accommodation.</p> <p>The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes.</p>	
<p>Policy A6 - Conversion of Former Agricultural Buildings</p> <p>The sensitive re-use of redundant or disused former agricultural buildings, including farmsteads, for residential or small-scale business use such as workshops, offices and studios will be supported where it does not lead to unacceptably high impact on local residents or on existing agricultural or commercial activities. The amenity of occupiers should not be adversely affected by existing agricultural practices such as dairy/poultry farming, muck spreading etc.</p> <p>In particular, appropriate conversions will be supported where redundant or disused buildings are adjoining or located in or in close proximity to the three settlements of Winnal, Allensmore and Cobhall Common.</p> <p>Conversions should be designed sensitively and respond positively to the local context in</p>	<p>Policy RA5 – Re-use of rural buildings</p> <p>The sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, which will make a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to residential development, or is essential to the social well-being of the countryside, will be permitted where:</p> <ol style="list-style-type: none"> 1. design proposals respect the character and significance of any redundant or disused building and demonstrate that it represents the most viable option for the long term conservation and enhancement of any heritage asset affected, together with its setting; 2. design proposals make adequate provision for protected and priority species and associated habitats; 	<p>NDP Policy A6 supports conversions of former agricultural buildings to residential or business use subject to locally appropriate criteria.</p> <p>This is in general conformity with Core Strategy Policy RA5 which supports the re-use of rural buildings subject to criteria and Policy RA6 which supports rural diversification.</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>terms of materials, scale and height. (see also Policy A4, Criteria for Development).</p> <p>Schemes should provide functional, energy and resource efficient buildings which are likely to be sustainable and resilient and offer a high quality living or working environment.</p> <p>Adequate car parking should be provided on site and there should be suitable existing access to the highway network.</p> <p>Consideration should be given to the possibility of encountering contamination on sites as a result of former uses and specialist advice be sought should any be encountered.</p>	<p>3. the proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts and;</p> <p>4. the buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and</p> <p>5. 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.</p> <p>Any planning permissions granted pursuant to this policy will be subject to a condition removing permitted development rights for future alterations, extensions and other developments.</p> <p>Policy RA6 - Rural economy 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</p>	

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<p>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; Planning applications which are submitted in order to diversify the rural economy will be permitted where they: <ul style="list-style-type: none"> • ensure that the development is of a scale which would be commensurate with its location and setting; • do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise, dust, lighting and smell; 	

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<ul style="list-style-type: none"> 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 A7 – Drainage, Flooding and Sewage</p> <p>With no mains drainage and high-water tables throughout the designated plan area, the ground is known to drain very poorly across the whole of the area (see Map 6 below).</p> <p>Consequently, safe and reliable disposal of foul water is known to be challenging.</p> <p>Development proposals will not be supported unless they can demonstrate with evidence (which may include fully documented porosity and percolation tests) that:</p> <ul style="list-style-type: none"> a sustainable foul water drainage scheme will be implemented which mitigates against these adverse conditions there is minimum risk of pollution or heightened flooding elsewhere suitable mitigation can be provided which does not 	<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. This will be achieved by ensuring that:</p> <ol style="list-style-type: none"> development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire; development is designed to be safe, taking into account the lifetime of the development and the need to adapt to climate change by setting appropriate floor levels, providing safe pedestrian and vehicular access, where appropriate, implementing a flood evacuation management plan and 	<p>NDP Policy A7 addresses the lack of mains drainage in the parish and high water tables. Development is required to provide a sustainable foul water scheme, suitable mitigation to reduce run off and SUDS where appropriate.</p> <p>This is in general conformity with Core Strategy Policy SD3 which requires development to reduce flood risk and to use SuDS where appropriate. In addition development should not adversely affect water quality. Policy SD4 sets out that development should not undermine the achievement of water quality targets for rivers, in particular through the treatment of wastewater and in the first instance developments should seek to connect to the existing mains wastewater infrastructure network.</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>exacerbate run off or higher ground water levels elsewhere</p> <ul style="list-style-type: none"> • designs maximise the retention of surface water on the development site and minimise runoff • a reliable solution is fully compliant with all the most recent applicable national and locally adopted standards (including the Sustainable Drainage Systems (SuDS) hierarchy). <p>Current and subsequent owners will be made aware of the requirement for appropriate maintenance of the foul and surface water drainage systems and the potential penalties to which they may be liable in the event of land or water courses being contaminated as a consequence of inadequate maintenance.</p>	<p>avoiding areas identified as being subject to Rapid Inundation from a breach of a Flood Defence;</p> <p>3. where flooding is identified as an issue, new development should reduce flood risk through the inclusion of flood storage compensation measures, or provide similar betterment to enhance the local flood risk regime;</p> <p>4. development will not result in the loss of open watercourse and culverts should be opened up where possible to improve drainage and flood flows. Proposals involving the creation of new culverts (unless essential to the provision of access) will not be permitted;</p> <p>5. development includes appropriate sustainable drainage systems (SuDS) to manage surface water appropriate to the hydrological setting of the site. Development should not result in an increase in runoff and should aim to achieve a reduction in the existing runoff rate and volumes, where possible;</p> <p>6. water conservation and efficiency measures are included in all new developments, specifically:</p> <ul style="list-style-type: none"> • residential development should achieve Housing - Optional Technical Standards - Water efficiency standards. At the time of 	

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<p>adoption the published water efficiency standards were 110 litres/person/ day; or</p> <ul style="list-style-type: none"> • non-residential developments in excess of 1,000 m2 gross floorspace to achieve the equivalent of BREEAM 3 credits for water consumption as a minimum; 7. the separation of foul and surface water on new developments is maximised; 8. development proposals do not lead to deterioration of EU Water Framework Directive water body status; 9. development should not cause an unacceptable risk to the availability or quality of water resources; and 10. in particular, proposals do not adversely affect water quality, either directly through unacceptable pollution of surface water or groundwater, or indirectly through overloading of Wastewater Treatment Works. <p>Development proposals should help to conserve and enhance watercourses and riverside habitats, where necessary through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of the aquatic environment. Proposals which are specifically aimed at the sustainable management of the water environment will in particular be encouraged, including where they are required to support business needs such as for</p>	

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<p>agriculture. Innovative measures such as water harvesting, winter water storage and active land use management will also be supported. In all instances it should be demonstrated that there will be no significant adverse landscape, biodiversity or visual impact.</p> <p>Policy SD4 - Wastewater treatment and river water quality</p> <p>Development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater. In the first instance developments should seek to connect to the existing mains wastewater infrastructure network. Where this option would result in nutrient levels exceeding conservation objectives targets, in particular additional phosphate loading within a SAC designated river, then proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development.</p>	
<p>Policy A8 – Protecting the Church and Village Hall and Supporting Investment in Improved Facilities</p> <p>The church and village hall are protected for community type uses.</p>	<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</p>	<p>NDP Policy A8 protects the church and village hall for community type uses and supports investment to improve local provision.</p> <p>This Policy is in general conformity with Core Strategy Policy SC1 which sets out that existing</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>Development or investment which contributes towards the improvement of existing facilities, or provision of new recreational, community and educational resources and/or infrastructure in Allensmore Parish will be encouraged.</p>	<p>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>Proposals involving the provision or expansion of social and community facilities will be expected to provide publicly accessible toilets (including facilities for disabled people and baby changing).</p> <p>Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be provided to meet the needs of the community affected; or it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities</p>	<p>facilities should be retained unless certain criteria are addressed and supports proposals which enhance existing provision.</p>

Allensmore NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<p>must be equivalent to those they replace, in terms of size, quality and accessibility.</p> <p>The provision or improvement of higher education facilities and the continuing enhancement of existing, or provision of new, training and skills facilities will be actively promoted.</p>	

3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

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).

Strategic Environmental Assessment (SEA)

To meet the ‘basic conditions’ which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.

The Draft Environmental Report for Allensmore Neighbourhood Area was published by Herefordshire Council in April 2019 based on the Regulation 14 Draft Plan. The non-technical summary (p1) sets out that:

"The draft Allensmore Draft NDP includes 4 main objectives and it is intended that these objectives will be delivered by 7 criteria based planning policies and one policy including site allocations.

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

Habitat Regulations Assessment (HRA) screening has been carried out as the Parish falls within the catchment for the River Wye (including River Lugg). The HRA assesses the potential effects of the NDP on the River Wye (including River Lugg) SAC.

On the whole, it is considered that the Allensmore Parish NDP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). Parish Councillors will welcome the conclusion as to general conformity. It also does not propose any growth that would be over and above that prescribed by strategic policies.

Taking into consideration the cumulative effects of policies, options and sites, the plan will have an overall positive impact on environmental assets. The plan is in general conformity with the Core Strategy overall and all of the policies and objectives meet the Core Strategy requirements for the purposes of the SEA. Other issues with a current uncertain outcome have the opportunity to be mitigated by further detail in policies or at planning stage.

Overall the plan is positive and would have a positive impact upon the SEA baseline data. Key recommendations would be to ensure that the environmental mitigation impacts are clear and robust, this may require some enhancement of existing policies in regard to air quality and water resources. However the plan as a whole is robust and meets key targets, any unknown factors would require further detail such as location, scale and size of development, therefore are likely to be determined at planning application/ proposal stage. No significant cumulative effects have been identified.

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

The full report is published on the NDP website and Herefordshire Council's webpages for Allensmore NDP.

Requirement for Habitats Regulations Assessment (HRA)

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation.

The Habitats Regulations Assessment Regulation 14 Report for Allensmore Neighbourhood Area (Regulation 14 Draft Plan) was published by Herefordshire Council in April 2019. In Section 3 Methodology the report sets out that "*as the Allensmore NDP is not directly connected with the management of any European sites, and includes proposals for development which may affect European sites, it is necessary under Regulation 102(1)(a) of the Habitats Regulations 2010 to undertake screening for likely significant effects on European sites.*"

Section 4 Results of the Initial Screening Report and options advises in 4.1 that "*the initial Screening report (26 July 2017) found that the Neighbourhood Area is in the hydrological catchment of the River Wye (including the River Lugg) SAC. Therefore a full screening assessment is required. The west of the Parish is in the hydrological catchment.*"

The report concludes in Section 8. that "*the Allensmore Parish NDP will not have a likely significant effect on the River Wye SAC and Parish Councillors will welcome the conclusion as to no likely significant effect.*"

European Convention on Human Rights

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

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

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

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

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

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

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

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

Allensmore Parish Council

September 2019