



## **Pixley and District Neighbourhood Development Plan 2011-2031**

The parishes of Aylton, Little Marcle, Munsley and Pixley

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# **Basic Conditions Statement**

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## 1. INTRODUCTION

- 1.1 A draft Neighbourhood Development Plan must meet each of a set of basic conditions before it 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 Development Plans by section 38A of the Planning and Compulsory Purchase Act 2004.
- 1.2 This Statement has been prepared for Pixley and District Group Parish Council to demonstrate that the Pixley and District Neighbourhood Development Plan 2011-2031 (NDP) meets legal requirements and the prescribed basic conditions.
- 1.3 The Statement confirms that:
- the legal requirements have been met (section 2)
  - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the NDP (section 3)
  - the NDP contributes to sustainable development (section 4)
  - the NDP is in general conformity with the strategic policies contained in the relevant development plan, the Herefordshire Local Plan Core Strategy (section 5)
  - the NDP does not breach and is otherwise compatible with EU obligations, and its making is not likely to have a significant effect on a European site, either alone or in combination with other plans or projects (section 6).

## **2. LEGAL REQUIREMENTS**

- 2.1 The Pixley and District NDP relates to the area that was designated by Herefordshire Council as a Neighbourhood Area on 24 February 2016. The NDP relates only to this Area. No other Neighbourhood Development Plan has or is being made for the Area.
- 2.2 Pixley and District Group Parish Council is a qualifying body.
- 2.3 The NDP is a plan which sets out policies in relation to the development and use of land in the Neighbourhood Area and which has been prepared in accordance with the statutory provisions.
- 2.4 The NDP specifies the period for which it is to have effect, which is 2011-2031.
- 2.5 The NDP does not include provisions about development that is excluded development, such as mineral and waste matters, nationally significant infrastructure projects or other prescribed development under section 61K of the Town and Country Planning Act 1990.

### **3. REGARD TO NATIONAL POLICY**

- 3.1 The Pixley and District NDP has been prepared with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). The NDP reflects the core planning principles set out in the NPPF and will help achieve national planning policies at the Neighbourhood Area level.
- 3.2 NPPF paragraph 16 sets out requirements for how communities engage in neighbourhood planning. In accordance with this national policy, Pixley and District NDP supports the strategic development needs set out in the Local Plan, including its policies for housing and economic development, and plans positively to support local development. In doing so, appropriate regard has been had to the fact that the Neighbourhood Area does not contain any settlements identified in the Local Plan Core Strategy for proportionate housing development.
- 3.3 The NPPF sets out more specific guidance on neighbourhood plans at paragraphs 183 to 185:
- NPPF paragraph 183: Pixley and District Group Parish Council has used neighbourhood planning powers to develop a local vision for the Neighbourhood Area and to set planning policies in the NDP.
  - NPPF paragraph 184: the NDP is in general conformity with the strategic policies of the Local Plan. In Herefordshire, these are the policies set out in the adopted Core Strategy.<sup>1</sup> The NDP reflects the strategic policies and plans positively to support them. It does not promote less development than set out in the Core Strategy, or undermine its strategic policies. It provides criteria-based planning policies to guide housing and economic development and environmental protection. The general conformity of the NDP with the strategic policies of the Core Strategy is set out in more detail in section 5 below.
  - NPPF paragraph 185: the NDP shapes and direct sustainable development in the Neighbourhood Area, through the provision of a balanced set of objectives and policies which deal with social, economic and environmental matters.
- 3.4 NPPF paragraph 17 sets out twelve core planning principles, to which the NDP has had regard as set out below (Table 1).
- 3.5 Government is presently consulting on revisions to the NPPF. Under the proposed transitional arrangements, it is expected that the NDP will be examined in light of the policies in the current Framework. The revisions include a proposal to delete the 'core planning principles' section, to remove duplication. However, the content of the section is to be retained and moved to relevant topic chapters.

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<sup>1</sup> Herefordshire Local Plan Core Strategy 2011-2031, October 2015, paragraph 1.14.

**Table 1: NPPF core planning principles**

NPPF Core Planning Principle	How the Pixley and District NDP has had regard to the guidance
<p>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.</p>	<p>The NDP embodies a positive vision and objectives for the Neighbourhood Area in 2031, within the broader framework set by the Core Strategy. Its preparation in consultation with those who live and work in the parishes has enabled local people to shape their surroundings. It covers the key areas of housing, economy, environment and community in order that the future development of the Neighbourhood Area is plan-led. A concise and succinct set of 11 planning policies provide a practical framework for development management.</p>
<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 preparation of the NDP has been based on consultation which has enabled the community to positively and creatively engage with the future of the parish. This has been achieved through public meetings, a residents’ survey, and the pre-submission consultation and publicity given to the draft NDP. The preparation of the draft NDP has been overseen by a Steering Group comprising parish councillors and other local volunteers.</p> <p>The Neighbourhood Area will be enhanced and improved <i>inter alia</i> by NDP objectives and policies to: manage the delivery of new housing to meet community needs including by supporting a rural exception site; support the local economy and deliver infrastructure; protect, conserve and enhance the natural and historic environments; and support community facilities.</p>

<b>NPPF Core Planning Principle</b>	<b>How the Pixley and District NDP has had regard to the guidance</b>
<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>The NDP has considered how best to provide for housing and business needs within the framework of the Core Strategy. There are no settlements in the Neighbourhood Area which are identified for proportionate housing growth in the Core Strategy.</p> <p>Policy PIX1 sets out the overall approach to meeting housing and employment needs and requirements, compatible with the Core Strategy and the rural nature of the area. Policies PIX2, PIX4 and PIX5 set out policies in respect of housing, economic development and polytunnels respectively.</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 NDP's objectives require new development to be in keeping with its surroundings and appropriately designed.</p> <p>Policy PIX9 requires all forms of new development to respect the character of adjoining development, having regard to siting, scale, height, massing, detailing, means of enclosure and materials. The policy also protects existing and future residential amenity.</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 NDP's vision identifies the role and character of the Neighbourhood Area in 2031 as a thriving community set within tranquil rural parishes, and whose landscape, wildlife and historic heritage are protected and sustainably managed. The Plan supports the community by encouraging new rural exception housing, economic development and local facilities, and by identifying Community Actions in respect of non-land use planning matters.</p> <p>Policy PIX7 serves to protect, conserve and enhance the natural environment of the Neighbourhood Area, including its landscape character and associated countryside features.</p>

<b>NPPF Core Planning Principle</b>	<b>How the Pixley and District NDP has had regard to the guidance</b>
Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).	The NDP encourages the re-use of existing resources by supporting the conversion of redundant rural buildings in line with strategic policy, to provide housing (policy PIX2) and employment (policy PIX4). Policy PIX9 requires sustainability measures to be incorporated into development proposals and for provision to be made for pedestrians and cyclists, thereby enabling active travel and reducing carbon emissions. Policy PIX10 provides for renewable energy.
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 this Framework.	The NDP provides for the conservation and enhancement of the natural environment through policy PIX7. The NDP does not include any allocations of land.
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.	There are no significant areas of previously developed land, reflecting the rural environment of the Neighbourhood Area. The conversion of existing rural buildings for housing and employment uses in line with strategic policy is supported by policies PIX2 and PIX4 respectively.
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 NDP encourages multiple benefits from the use of land in the Neighbourhood Area. It provides for a range of land uses including housing, employment and community facilities, recognising the rural character of the Neighbourhood Area and consistent with strategic policy. The countryside is also a valued natural and historic environment, protected by policies PIX7 and PIX8.

<b>NPPF Core Planning Principle</b>	<b>How the Pixley and District NDP has had regard to the guidance</b>
<p>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.</p>	<p>NDP policy PIX8 addresses the historic environment, identifying heritage assets in the Neighbourhood Area to complement statutory protection and Core Strategy policy LD4.</p>
<p>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.</p>	<p>There are no settlements in the Neighbourhood Area which are identified for sustainable housing growth within the Core Strategy. Policies PIX4 and PIX9 provide for walking and cycling in the context of long distance routes and development proposals respectively, and a Community Action is included to foster enhanced connectivity for cyclists between the Neighbourhood Area and the market town of Ledbury to the east.</p>
<p>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.</p>	<p>The NDP's vision is for the Neighbourhood Area in 2031 to be home to a thriving local community meeting the needs of all ages.</p> <p>Economic and social infrastructure is provided for by policy PIX6 and supporting Community Actions, and policy PIX11 supports the enhancement of existing community facilities and new provision.</p>

#### 4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

4.1 The making of the Pixley and District NDP will contribute to the achievement of sustainable development.

4.2 The NPPF sets out that there are three dimensions to sustainable development: economic, social and environmental (paragraph 7). These dimensions give rise to the need for the planning system to perform a number of roles:

- **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 and 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 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.

4.3 The NPPF emphasises that to achieve sustainable development the economic, social and environmental roles should be sought jointly and simultaneously as they are mutually dependent. The three roles are then set out in greater detail in the NPPF's core planning principles. Each of these is supported by the NDP, confirming that the Plan as a whole will contribute to sustainable development (see Table 1).

4.4 The NDP is also in general conformity with the Core Strategy (see section 5). This sets out a spatial strategy to achieve the sustainable development of the County based on the three themes of social progress, economic prosperity, and environmental quality. These themes echo the three roles as defined in the NPPF. The NDP will deliver sustainable development by virtue of setting out a balanced set of policies which address each of the strategic themes.

4.5 Policy PIX1 explains how the NDP will play an active role in guiding development in the Neighbourhood Area to a sustainable solution. The aim will be to consider how individual proposals contribute to sustainability, assessed across the three roles, to best deliver the NDP's vision and objectives. Table 2 sets out how the Plan's policies will help achieve sustainable development, by contributing to each of the three roles.

**Table 2: Sustainable development**

<b>Sustainable development role</b>	<b>How the Pixley and District NDP contributes</b>
Economic	The NDP provides positively for development needs and requirements, including for new housing in the countryside and by supporting a site for rural exception housing (policies PIX2 and PIX3). Policy PIX4 supports employment-generating proposals of an appropriate scale, type and nature, including the re-use of buildings, extensions to existing businesses, farm and business diversification, and tourism and leisure proposals (policy PIX4). Policy PIX5 provides a framework for the assessment of polytunnel proposals which balances economic and environmental factors. The NDP also supports improvements to communications and broadband infrastructure which will benefit local business and support economic activity (policy PIX6).
Social	The NDP addresses requirements for new housing through policies PIX2 and PIX3, including for dwellings of a type and size that positively contribute to meeting housing needs. The NDP further meets social needs through support for communications and broadband infrastructure (policy PIX6), renewable energy proposals, including those which are community-led (policy PIX10) and community facilities (policy PIX11).
Environmental	Policies PIX7 and PIX8 serve to protect, conserve and enhance the natural and historic environments. Policy PIX9 sets out a range of requirements to deliver sustainable development at the site and building scale. Policy PIX10 provides for renewable energy. As noted above, policy PIX5 provides a framework for the assessment of polytunnel proposals which balances economic and environmental factors.

## 5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Pixley and District NDP is in general conformity with the strategic policies contained in the development plan for the area, namely the Herefordshire Local Plan Core Strategy. Herefordshire Council has confirmed this position in its consultation response to the draft Plan for all the NDP policies save for policy PIX3 (see below). That response identifies equivalent Core Strategy policies to each of the NDP policies, where applicable. The NDP also supports the implementation and delivery of other Core Strategy policies. Table 3 sets out more detail as to how each of the NDP's policies align with the strategic policies. The text of the Core Strategy policies referred to can be seen at Appendix 1, and the full Core Strategy viewed here <https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>.
- 5.2 Remaining saved policies of the Herefordshire Unitary Development Plan are not relevant to the NDP.

**Table 3: General conformity of NDP policies with strategic policies.**

NDP policies	Herefordshire Local Plan Core Strategy
<p><b>Policy PIX1: Sustainable development</b></p> <p><b>In considering the overall contribution of development proposals to the sustainable development of Pixley and District, the following principles will be sought and balanced:</b></p> <ol style="list-style-type: none"> <li><b>1. providing for new housing in accordance with the policies of the Local Plan Core Strategy, which demonstrably meets local needs; and</b></li> <li><b>2. supporting proposals for new and diversified employment opportunities which are compatible and in scale with the rural nature of the area and the environment; and</b></li> <li><b>3. retaining and enhancing community facilities and supporting new provision, to meet a range of needs and foster quality of life; and</b></li> <li><b>4. taking all opportunities to protect and enhance the distinctive natural and historic environments, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity.</b></li> </ol>	<p>Policy PIX1 is in general conformity with strategic policy SS1 <i>Presumption in favour of sustainable development</i>, adding local detail as to the social, economic and environmental dimensions of sustainable development within the Neighbourhood Area.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p><b>Policy PIX2: Housing in Pixley and District</b></p> <p><b>Proposals for new residential development will need to satisfy the requirements of Local Plan Core Strategy policy RA3 and allied policies. Where new development is proposed, proposals must be able to demonstrate that existing buildings do not provide a reasonable alternative. In all cases, proposals must be able to demonstrate that they are of a type and size that positively contribute to meeting the latest assessment of housing needs. This includes smaller properties, live/work accommodation, and dwellings to meet the needs of older people.</b></p>	<p>Policy PIX2 is in general conformity with strategic policy SS2 <i>Delivering new homes</i>, RA3 <i>Herefordshire's countryside</i> and RA4 <i>Agricultural, forestry and rural enterprise dwellings</i>, and supports RA5 <i>Re-use of rural buildings</i> and H3 <i>Ensuring an appropriate range and mix of housing</i>. It adds local detail by emphasising the types of housing sought in the Neighbourhood Area.</p>
<p><b>Policy PIX3: Rural exception housing</b></p> <p><b>The provision of rural exception housing on a single small site to meet a proven local need for affordable housing in perpetuity, which excludes market housing and otherwise meets the requirements of Local Plan Core Strategy policy H2, will be supported in Pixley and District.</b></p>	<p>The HC consultation response identifies Core Strategy policy RA4 as the strategic equivalent, although this refers to agricultural, forestry and rural enterprise dwellings. The response also refers to policy H2 <i>Rural exception sites</i>, indicating that to fully accord with this policy some flexibility would need to be allowed for the possibility of some market housing being required to subsidise a proportion of the affordable housing provision. This possibility was canvassed in the residents' survey and was not supported, with 47% of respondents opposed to such an arrangement (40% for). It has been discounted on this basis.</p>
<p><b>Policy PIX4: Economic development in Pixley and District</b></p> <p><b>Proposals to generate employment and to support and diversify the rural economy will be supported in Pixley and District where they are of a scale, type and nature appropriate to their countryside location and setting. This includes:</b></p>	<p>Policy PIX4 is in general conformity with strategic policies SS5 <i>Employment provision</i>, RA5 <i>Re-use of rural buildings</i>, RA6 <i>Rural economy</i> and E3 <i>Homeworking</i>, and supports E4 <i>Tourism</i>. It adds local detail in respect of the type and pattern of employment that is sought, including rural tourism and leisure proposals.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<ol style="list-style-type: none"> <li>1. the re-use of rural buildings for business use and for the provision of live/work units;</li> <li>2. the small-scale extension of existing business premises and commercial facilities;</li> <li>3. extensions to existing dwellings needed to enable home working;</li> <li>4. the development and diversification of farm, forestry and other land-based rural businesses, including for food and drink processing and production;</li> <li>5. rural tourism and leisure proposals, particularly those which serve to sustain, enhance and promote a better understanding of the local natural, historic and cultural environment, and including measures facilitating the development of long distance walking and cycling routes.</li> </ol>	
<p><b>Policy PIX5: Polytunnels</b></p> <p>Proposals for polytunnel and ancillary development will only be permitted where they can demonstrate that the following requirements can be met. In making this assessment, any other existing and permitted polytunnel developments in the locality will be taken into account. The requirements are that:</p> <ol style="list-style-type: none"> <li>1. the impacts on the character and visual appearance of the landscape are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and</li> <li>2. there will be no undue loss of amenity to the occupiers of residential properties, including by way of noise, external lighting, polytunnel design, height and siting; and</li> <li>3. the proposed means of vehicular access and the local highway network can cater safely for both the volume and</li> </ol>	<p>The HC consultation response identifies that there are no applicable strategic policies and that the policy is in general conformity.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>type of vehicles anticipated; and</p> <p>4. sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution, soil erosion and damage to wildlife habitats. There must be no increase in surface water runoff rate and volume over the existing situation, and where possible betterment should be achieved. Flood risk elsewhere must not be increased; and</p> <p>5. there are no unacceptable impacts on the natural and historic environments, in accordance with policies PIX7 and PIX8; and</p> <p>6. there are no unacceptable impacts on the utility and enjoyment of public rights of way.</p> <p>Proposals for polytunnel development will be required to provide full quantified supporting evidence in respect of the above as well as in respect of their economic benefits.</p>	
<p><b>Policy PIX6: Communications and broadband</b></p> <p>Proposals for the provision of communications and broadband infrastructure for home and business purposes will be supported. Consistent with technical and operational requirements and the delivery of service improvements, development for communications and broadband services must be designed and sited to ensure compliance with policy PIX9.</p>	<p>The HC consultation response identifies that the equivalent Core Strategy policy is LD3 <i>Green infrastructure</i> and that the policy is in general conformity.</p>
<p><b>Policy PIX7: Natural environment</b></p> <p>Proposals must be able to demonstrate that they protect, conserve and enhance the natural environment of Pixley and District in</p>	<p>Policy PIX7 is in general conformity with strategic policies SS6 <i>Environmental quality and local distinctiveness</i>, LD1 <i>Landscape and townscape</i>, LD2 <i>Biodiversity and geodiversity</i> and LD3 <i>Green infrastructure</i>. It adds local detail by identifying elements of the</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>accordance with the principles in Local Plan Core Strategy policies LD1, LD2 and LD3. This includes the following, as is relevant to the proposal:</p> <ol style="list-style-type: none"> <li>1. the protection and recovery of European and nationally protected species; and</li> <li>2. conserving, restoring and enhancing sites and features of biodiversity interest in accordance with their status, including those identified in the Priority Habitats Inventory, Local Wildlife Sites, woodland, veteran trees, hedgerows, ponds and watercourses; and</li> <li>3. maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, and taking into account their role as green infrastructure; and</li> <li>4. the creation of new wildlife habitats; and</li> <li>5. ensuring that proposals respect the prevailing landscape character, as defined in the County Landscape Character Assessment, including associated views, trees and hedgerows and local features of interest.</li> </ol>	<p>natural environment in the Neighbourhood Area.</p>
<p><b>Policy PIX8: Historic environment</b></p> <p>Proposals must be able to demonstrate that they protect, conserve and where possible enhance the historic environment and the heritage assets of Pixley and District, including their settings, in accordance with the principles in Local Plan Core Strategy LD4. This applies to the following, as relevant to the proposal:</p> <ol style="list-style-type: none"> <li>1. listed buildings; and</li> <li>2. the character and appearance of the Aylton Conservation Area; and</li> <li>3. the Mainstone Court Unregistered Park and Garden; and</li> </ol>	<p>Policy PIX8 is in general conformity with strategic policy SS6 <i>Environmental quality and local distinctiveness</i> and LD4 <i>Historic environment and heritage assets</i>. It adds local detail by identifying elements of the historic environment and heritage assets in the Neighbourhood Area.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>4. the historic route of the Herefordshire and Gloucestershire Canal and associated features; and</p> <p>5. other undesignated heritage assets including archaeological sites.</p>	
<p><b>Policy PIX9: Design and access</b></p> <p><b>Development proposals must:</b></p> <ol style="list-style-type: none"> <li>1. respect the character of adjoining development and the wider landscape, having regard to siting, scale, height, massing, detailing, means of enclosure and the use of traditional materials; and</li> <li>2. incorporate relevant sustainability measures to include building orientation and design, energy and water conservation, the use of sustainable construction methods and materials, provision for the recycling of waste, cycle storage, communications and broadband technologies, and the generation of renewable energy; and</li> <li>3. in the case of proposals for new housing, be sited and designed to avoid adverse impacts on the amenity of future occupants from the operation of existing uses, including agricultural and business operations; and</li> <li>4. be capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. The arrangements for access (including those to/from the existing road network) should include provisions for pedestrians and cyclists, to encourage active travel; and</li> <li>5. avoid creating unacceptable impacts on existing residential amenity and the tranquillity of the countryside from noise, volume and nature of traffic generated, dust or odour; and</li> <li>6. where external lighting is proposed, avoid adverse amenity</li> </ol>	<p>Policy PIX9 is in general conformity with strategic policies SD1 <i>Sustainable design and energy efficiency</i>, SD2 <i>Renewable and low carbon energy generation</i>, SD3 <i>Sustainable water management and water resources</i> and SD4 <i>Wastewater treatment and river water quality</i>. It adds local detail by reflecting issues of concern, such as in respect of light pollution and provision for active travel, supporting the delivery of MT1 <i>Traffic management, highway safety and promoting active travel</i>.</p>

NDP policies	Herefordshire Local Plan Core Strategy
<p>and environmental impacts occurring through light spillage; and</p> <p>7. retain and incorporate existing site features of amenity and biodiversity value, such as trees, ponds and hedgerows, as far as practicable; and</p> <p>8. provide for new landscaping which is in keeping with the prevailing landscape character, to integrate new buildings within their surroundings and to support green infrastructure and the Ecological Network.</p>	
<p><b>Policy PIX10: Renewable energy</b></p> <p><b>Proposals for small-scale renewable energy generation will be supported where it is shown that the individual and cumulative impacts on the natural and historic environment, amenity and highway safety and capacity are or can be made acceptable. Community-led renewable energy proposals where benefits can be demonstrated are encouraged.</b></p>	<p>Policy PIX10 is in general conformity with strategic policy SD2 <i>Renewable and low carbon energy generation</i> and adds local detail in respect of highway safety and capacity, cumulative impacts and community-led proposals.</p>
<p><b>Policy PIX11: Community facilities</b></p> <p><b>Proposals for the enhancement of community facilities and for new provision will be supported. Proposals should take account of the potential for the co-location of services in achieving viability and be accessible by a choice of transport modes. Support will be given to diversification proposals where these can be shown to enable or increase the viability of existing and proposed services and facilities.</b></p>	<p>Policy PIX11 is in general conformity with strategic policy SC1 <i>Social and community facilities</i> and adds local detail in respect of the support to be given to diversification proposals.</p>

## 6. EU OBLIGATIONS

6.1 The Pixley and District NDP is compatible with European Union obligations as detailed in Table 4 and as transposed into UK law.

**Table 4: EU obligations**

EU Obligation	Compatibility of the Pixley and District NDP
Strategic Environmental Assessment (SEA) Directive	<p>Strategic environmental assessment of the Pixley and District NDP has been undertaken by Herefordshire Council. An initial screening opinion in August 2016 concluded that the NDP would require further assessment for the purposes of Strategic Environmental Assessment. A Scoping Report was prepared in April 2017 and published for consultation. Subsequently, an SEA of the draft Plan was undertaken in October 2017 and the resultant Environmental Report was published for consultation alongside the draft Plan.</p> <p>The Environmental Report concludes that the NDP is in general conformity with both national planning policy contained in the NPPF and strategic policies set within the Herefordshire Local Plan (Core Strategy). None of the NDP policies were considered to be in direct conflict with or propose greater levels of growth and development than strategic policies contained in the Local Plan (Core Strategy), which themselves have undergone a full Sustainability Appraisal. The cumulative effect of the NDP policies will contribute to the SEA objectives.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Environmental Report (April 2018), which confirms these conclusions.</p> <p>The NDP has been prepared in conjunction with a formal process of environmental appraisal in accordance with the SEA Directive, whose requirements are considered to have been met.</p>
Habitats Directive	<p>A process of assessment of the Pixley and District NDP pursuant to the Habitats Directive has been undertaken by Herefordshire Council. Initial screening was undertaken in 2016 and found that the Neighbourhood Area did not contain any European sites, or their proximity would not be affected by policies and proposals within the proposed Pixley and District Neighbourhood Plan. It concluded that a full Habitats Regulations Assessment would not be required.</p>

EU Obligation	Compatibility of the Pixley and District NDP
	<p>A Screening report in October 2017 confirmed this conclusion.</p> <p>The NDP has been prepared in conjunction with a formal screening process in accordance with the Habitats Directive, whose requirements are considered to have been met.</p>
Water Framework Directive	<p>The Local Plan Core Strategy (policies SD3 and SD4) requires that development proposals are considered against Water Framework Directive objectives, including that development should not undermine the achievement of water quality targets. These strategic policies are referenced within the NDP in justification to policies PIX6 and PIX9. The Water Framework Directive has been taken into account within the objectives used for the SEA of the NDP and as a source of baseline information and targets.</p> <p>The NDP is considered to be compatible with the Water Framework Directive.</p>
Human Rights	<p>The NDP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and County-level strategic planning policies. In accordance with established process, its preparation has included consultation with the local community and it is subject to independent examination. The policies within the Plan are considered to comply with the requirements of EU obligations in relation to Human Rights.</p>

## APPENDIX 1: STRATEGIC POLICIES

### Policy SS1 – Presumption in favour of sustainable development

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.

Planning applications that accord with the policies in this Core Strategy (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise - taking into account whether:

- a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in national policy taken as a whole; or
- b) specific elements of national policy indicate that development should be restricted.

### Policy SS2 - Delivering new homes

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.

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.

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.

The broad distribution of new dwellings in the county will be a minimum of:

Place	Facilities	New homes
Hereford	Wide range of services and main focus for development	6,500
Other urban areas – Bromyard, Kington, Ledbury, Leominster, Ross on Wye	Range of services and reasonable transport provision – opportunities to strengthen role in meeting requirements of surrounding communities	4,700
Rural Settlements – see list in Place - Shaping section	More limited range of services and some limited development potential but numerous locations	5,300
<b>Total</b>		<b>16,500</b>

### **Policy SS5 – Employment provision**

Existing higher quality employment land countywide will be safeguarded from alternative uses. A continuous supply of 37 ha of readily available employment land will be made available over a 5 year period, with an overall target of 148 ha of employment land over the plan period. New strategic employment land, in tandem with housing growth and smaller scale employment sites, will be delivered through the plan period. New strategic employment land locations are identified at Hereford (15 ha); Leominster (up to 10 ha), Ledbury (15 ha), and Ross-on-Wye (10 ha). The Hereford Enterprise Zone at Rotherwas will continue to provide the largest focus for new employment provision in the county. Proposals for employment land provision at Bromyard and Kington will be brought forward through Neighbourhood Development Plans or other Development Plan Documents. 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.

### **Policy SS6 – Environmental quality and local distinctiveness**

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:

- 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;
- 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.

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.

### **Policy RA3 – Herefordshire's countryside**

In rural locations outside of settlements, as to be defined in either neighbourhood development plans or the Rural Areas Sites Allocations DPD, residential development will be limited to proposals which satisfy one or more of the following criteria:

1. meets an agricultural or forestry need or other farm diversification enterprise for a worker to live permanently at or near their place of work and complies with Policy RA4; or

2. accompanies and is necessary to the establishment or growth of a rural enterprise, and complies with Policy RA4; or
3. involves the replacement of an existing dwelling (with a lawful residential use) that is comparable in size and scale with, and is located in the lawful domestic curtilage, of the existing dwelling; or
4. would result in the sustainable re-use of a redundant or disused building(s) where it complies with Policy RA5 and leads to an enhancement of its immediate setting; or
5. is rural exception housing in accordance with Policy H2; or
6. is of exceptional quality and innovative design satisfying the design criteria set out in Paragraph 55 of the National Planning Policy Framework and achieves sustainable standards of design and construction; or
7. is a site providing for the needs of gypsies or other travellers in accordance with Policy H4.

#### **Policy RA4 – Agricultural, forestry and rural enterprise dwellings**

Proposals for dwellings associated with agriculture, forestry and rural enterprises will be permitted where it can be demonstrated that there is a sustained essential functional need for the dwelling and it forms an essential part of a financially sustainable business, and that such need cannot be met in existing accommodation. Such dwellings should:

1. demonstrate that the accommodation could not be provided in an existing building(s);
2. be sited so as to meet the identified functional need within the unit or in relation to other dwellings and
3. be of a high quality, sustainable design which is appropriate to the context and makes a positive contribution to the surrounding environment and rural landscape.

Where evidence of the economic sustainability of the rural enterprise is not proven or where an enterprise is not yet established, planning permission for temporary accommodation may be granted for a maximum period of three years to enable the sustainability of the enterprise to be assessed.

Successive extensions will not normally be granted. Temporary accommodation should be carefully sited within the unit or in relation to other dwellings. Dwellings permitted in accordance with this policy will be subject to occupancy controls secured through a Section 106 Agreement. In some situations it will be appropriate to use legal agreements to tie other dwellings to the unit and/or restrict the occupancy of other dwellings within the farm/business unit.

Applications for the removal of occupancy conditions (or section 106 Agreements) will only be permitted where it can be demonstrated the dwelling is surplus to the current and sustained original business needs, as well as other rural enterprises in the locality and there has been a genuine and unsuccessful attempt to market the property at a realistic price (for rent or sale) which has been independently verified.

#### **Policy RA5 – Re-use of rural buildings**

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:

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;

3. the proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts and;
4. the buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and
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.

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.

#### **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 of economic activities will be supported, including proposals which:

- 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;

- 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 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.

#### **Policy H2 - Rural exception sites**

Proposals for affordable housing schemes in rural areas may be permitted on land which would not normally be released for housing where:

1. the proposal could assist in meeting a proven local need for affordable housing; and
2. the affordable housing provided is made available to, and retained in perpetuity for local people in need of affordable housing; and
3. the site respects the characteristics of its surroundings, demonstrates good design and offers reasonable access to a range of services and facilities normally in a settlement identified in Policy RA2.

In order to enable the delivery of affordable housing some market housing may be permitted as part of the development to subsidise a significant proportion of affordable housing provision. However, evidence will be required – by way of a financial appraisal, in order to demonstrate that the proposed scale of market housing is that required for the successful delivery of affordable housing.

### **Policy H3 – Ensuring an appropriate range and mix of housing**

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:

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:
  - 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.

The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes.

### **Policy SC1 – Social and community facilities**

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.

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.

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).

Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be provided to meet the needs of the community affected; or it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities must be equivalent to those they replace, in terms of size, quality and accessibility.

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.

### **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.

Where traffic management measures are introduced they should be designed in a way which respects the character of the surrounding area including its landscape character. Where appropriate, the principle of shared spaces will be encouraged.

### **Policy E3 – Homeworking**

The value of home working will be recognised by allowing some material change of use to part of a dwelling, where the dwelling remains as the principle place of residence for the home worker; and recognising the potential to encourage and expand home working, by allowing small extensions or conversions where the proposed use and operation would be compatible with its location and heritage value, and where it would not adversely affect the amenity of the neighbourhood by **any** of the following:

- changes to the appearance of any building;
- noise disturbance from the use or any increased traffic and parking generated;
- unsociable hours of operation; and
- the storage of hazardous materials or emissions from the site.

### **Policy E4 – Tourism**

Herefordshire will be promoted as a destination for quality leisure visits and sustainable tourism by utilising, conserving and enhancing the county's unique environmental and heritage assets and by recognising the intrinsic character and beauty of the countryside. In particular, the tourist industry will be supported by a number of measures including:

1. recognising the unique historic character of Hereford and the market towns as key visitor attractions and as locations to focus the provision of new larger scale tourist development;

2. the development of sustainable tourism opportunities, capitalising on assets such as the county's landscape, rivers, other waterways and attractive rural settlements, where there is no detrimental impact on the county's varied natural and heritage assets or on the overall character and quality of the environment. Particular regard will be had to conserving the landscape and scenic beauty in the Areas of Outstanding Natural Beauty;
3. retaining and enhancing existing, and encouraging new, accommodation and attractions throughout the county, which will help to diversify the tourist provision, extend the tourist season and increase the number of visitors staying overnight. In particular proposals for new hotels in Hereford will be encouraged. Applicants will be encouraged to provide a 'Hotel Needs Assessment' for any applications for new hotels;
4. ensuring that cycling, walking and heritage tourism is encouraged by facilitating the development of long distance walking and cycling routes, food and drink trails and heritage trails, including improvements to public rights of way, whilst having special regard for the visual amenity of such routes and trails, and for the setting of heritage assets in their vicinity; and
5. the safeguarding of the historic route of the Herefordshire and Gloucestershire Canal (shown on the Policies Map), together with its infrastructure, buildings, towpath and features. Where the original alignment cannot be re-established, a corridor allowing for deviations will be safeguarded. New developments within or immediately adjoining the safeguarded corridor will be required to incorporate land for canal restoration. Development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted.

#### **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 important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.

#### **Policy LD2 – Biodiversity and geodiversity**

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

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 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;
  - 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.

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.

2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and

3. creation of new biodiversity features and wildlife habitats.

Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and prevention of adverse impacts on, biodiversity and geodiversity features.

#### **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.

#### **Policy LD4 –Historic environment and heritage assets**

Development proposals affecting heritage assets and the wider historic environment should:

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. 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;

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

5. where appropriate, improve the understanding of and public access to the heritage asset.

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.

#### **Policy SD1 –Sustainable design and energy efficiency**

Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:

- ensure that proposals make efficient use of land -taking into account the local context and site characteristics,

- new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;
- safeguard residential amenity for existing and proposed residents;
- ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;
- where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective;
- ensure that distinctive features of existing buildings and their setting are safeguarded and where appropriate, restored;
- utilise physical sustainability measures that include, in particular, orientation of buildings, the provision of water conservation measures, storage for bicycles and waste including provision for recycling, and enabling renewable energy and energy conservation infrastructure;
- where possible, on-site renewable energy generation should also be incorporated;
- create safe and accessible environments, and that minimise opportunities for crime and anti-social behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measures;
- ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development; and
- utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials;

All planning applications including material changes of use, will be expected to demonstrate how the above design and energy efficiency considerations have been factored into the proposal from the outset.

### **Policy SD2 – Renewable and low carbon energy generation**

Development proposals that seek to deliver renewable and low carbon energy will be supported where they meet the following criteria:

1. the proposal does not adversely impact upon international or national designated natural and heritage assets;
2. the proposal does not adversely affect residential amenity;
3. the proposal does not result in any significant detrimental impact upon the character of the landscape and the built or historic environment and
4. the proposal can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user.

In the case of energy generation through wind power developments, permission will only be granted for such proposals where:

- the proposed site is identified in a Neighbourhood Development Plan or other Development Plan Document as a suitable site for wind energy generation; and
- following consultation with local residents, it can be demonstrated that the planning impacts identified can be fully addressed, and therefore the proposal has the backing of the local community.

### **Policy SD3 – Sustainable water management and water resources**

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:

1. development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the *Strategic Flood Risk Assessment (SFRA) 2009* for Herefordshire;
2. development is designed to be safe, taking into account the lifetime of the development and the need to adapt to climate change by setting appropriate floor levels, providing safe pedestrian and vehicular access, where appropriate, implementing a flood evacuation management plan and avoiding areas identified as being subject to Rapid Inundation from a breach of a Flood Defence;
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;
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;
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;
6. water conservation and efficiency measures are included in all new developments, specifically:
  - residential development should achieve Housing - Optional Technical Standards - Water efficiency standards At the time of adoption the published water efficiency standards were 110 litres/person/day; or
  - non-residential developments in excess of 1,000 sq.m 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.

Development proposals should help to conserve and enhance watercourses and riverside habitats, where necessary through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of the aquatic environment. Proposals which are specifically aimed at the sustainable management of the water environment will in particular be encouraged, including where they are required to support business needs such as for agriculture. Innovative measures such as water harvesting, winter water storage and active land use management will also be supported. In all instances it should be demonstrated that there will be no significant adverse landscape, biodiversity or visual impact.

#### **Policy SD4 - Wastewater treatment and river water quality**

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. This may involve:

- incorporating measures to achieve water efficiency and/or a reduction in surface water discharge to the mains sewer network, minimising the capacity required to accommodate the proposal, in accordance with policy SD3;
- phasing or delaying development until further capacity is available;
- the use of developer contributions/community infrastructure levy funds to contribute to improvements to waste water treatment works or other appropriate measures to release capacity to accommodate new development;
- in the case of development which might lead to nutrient levels exceeding the limits for the target conservation objectives within a SAC river, planning permission will only be granted where it can be demonstrated that there will be no adverse effect on the integrity of the SAC in view of the site's conservation objectives; and
- where the nutrient levels set for conservation objectives are already exceeded, new development should not compromise the ability to reduce levels to those which are defined as favourable for the site.

Where evidence is submitted to the local planning authority to indicate connection to the wastewater infrastructure network is not practical, alternative foul drainage options should be considered in the following order:

- provision of or connection to a package sewage treatment works (discharging to watercourse or soakaway);
- septic tank (discharging to soakaway).

With either of these non-mains alternatives, proposals should be accompanied by the following:

- information to demonstrate there will be no likely significant effect on the water quality, in particular of designated national and European sites, especially the River Wye SAC and the River Clun SAC; or
- where there will be a likely significant effect upon a SAC river, information to enable the council, in its role as a competent authority, to ascertain that the development will have no adverse effect on the integrity of the SAC;
- in relation to water courses with national or European nature conservation designations, the inclusion of measures achieving the highest standard of water quality discharge to the natural drainage system including provision for monitoring.

The use of cesspools will only be considered in exceptional circumstances and where it can be demonstrated that sufficient precautionary measures will ensure no adverse effect upon natural drainage water quality objectives.