

Kingsland Neighbourhood Development Plan - Basic Conditions Statement (July 2016)

Section 1 - Introduction

This **Basic Condition Statement** is prepared to accompany **Kingsland Neighbourhood Development Plan**.

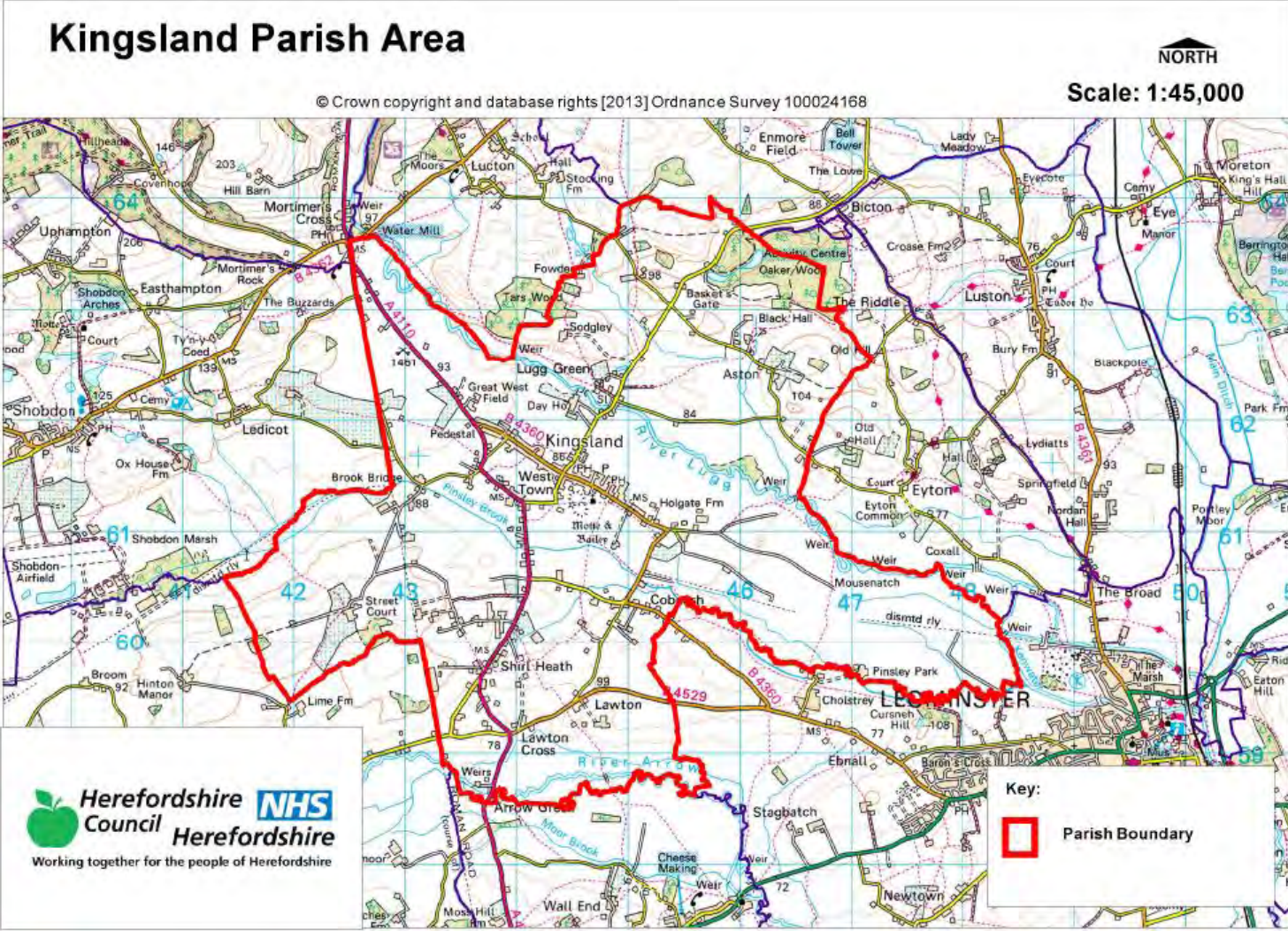
It is submitted by Kingsland Parish Council, which is the qualifying body under Localism Act 2011. Kingsland Neighbourhood Development Plan covers the parish of Kingsland only and no other Neighbourhood areas. The Local Plan for the parish is Herefordshire Core Strategy (HCS) which was adopted on 16th October 2015. Herefordshire Council has also indicated it will prepare a Travellers Development Plan and a Natural Resources/Minerals and Waste Development Plan. It is expected that, in combination, these will comprise the Development Plan Documents for the Parish of Kingsland.

This Basic Condition Statement has been prepared to show that Kingsland Neighbourhood Development Plan complies with the provisions of Schedule 4B of the Town and Country Planning Act 1990, as amended. The basic conditions required by this provision are that such plans should:

- i) Pay appropriate regard to national planning policies and advise as is set out in the National Planning Policy Framework (NPPF) and, in particular, contribute to the achievement of sustainable development according to the principles set out in that NPPF;
- ii) Be in general conformity with the strategic policies set out in Herefordshire Core Strategy;
- iii) Meet relevant European obligations, in particular with regard to the environment and human rights.

The first matter is covered within the schedules in sections 2 and 3 of this document. The second matter is considered within section 3 in association with the requirements of the NPPF in order to show how the three levels of planning policies are integrated. The third matter is covered in section 4.

Figure 1 – Kingsland Neighbourhood Development Plan Area



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Figure 2 - Location of Kingsland Parish within Leominster Housing Market Area



Section 2 – Contribution to the Achieving Sustainable Development

Sustainable development – Core Planning Principles of the NPPF.	Kingsland Neighbourhood Development Plan Provisions
Genuinely plan-led empowering local people through a positive local vision, based on co-operation to address larger issues.	The community within the parish contributed to the preparation of the Neighbourhood Plan at a number of stages and their views and comments were all given serious consideration. This included a stage which involved setting a vision for the plan. A positive approach has been taken to accommodating housing and other forms of development which Herefordshire Core Strategy has determined for its specified settlements and rural areas. Higher level planning documents do not set out any proposals for major development within the parish but Kingsland Parish Council is aware, in particular, that it must contribute towards ensuring the issue of water quality is properly addressed. The extent of community involvement is set out in greater detail within Kingsland Neighbourhood Development Plan Consultation Statement.
Be creative in finding ways to enhance and improve places where people live.	The Plan shows how it proposes to meet and exceed the minimum target for new housing; how development should ensure the character and appearance of its named settlements and their surrounding rural areas are to be retained and enhanced; the designation of Local Greenspace; how the effect of road traffic is to be taken into account while promoting sustainable transport; what is required in terms of infrastructure; and the support for local business and community facilities. These are important priorities identified by the community.
Proactively drive and support sustainable economic development, delivering homes, business and industrial units, infrastructure, and thriving local places, taking account of market signals.	The Plan provides significant flexibility to support business where this is in scale with and does not adversely affect the parish's environment. It also promotes home working and the provision of high speed broadband to support local economic activity.
Always seek high quality design and good standard of amenity.	Policies place particular emphasis upon ensuring the rural character of the parish is retained as well as its settlements and Kingsland's Conservation Area. This includes setting criteria that would promote high standards of architecture and design.
Take account of different roles and character of different areas, promoting vitality, the beauty of the countryside and supporting thriving rural communities.	The Plan differentiates between its rural area and settlements. It also highlights the importance of Kingsland's Conservation Area. It provides flexibility to support development, including local community facilities to support what is a thriving community.
Support transition to a low carbon future, considering flood risk, re-use of resources and encouraging renewable resources	The community recognises the importance of addressing climate change issues and protects new development from flood risk. It provides for appropriate renewable or low carbon energy generation. In relation to the latter it sets a criteria based policy, providing environmental safeguards, and in particular supports community renewables of an appropriate scale

Conserving and enhancing the natural environment and reducing pollution; using land of lesser environmental value	These elements are seen as very important, and as having a high priority for the local community. Appropriate policies are advanced to support those environmental issues included in Herefordshire Core Strategy or relies upon the Core Strategy where particular professional advice is needed. Particular emphasis is placed upon protecting the River Wye SAC and supporting the River Wye Nutrient Management Plan.
Encourage effective use of land by re-using brownfield land where environmentally acceptable.	Policies and proposals in the Plan do not promote the use of high grade agricultural land. Although 'brownfield' options are limited, so are the assessed land needs. Housing development is restricted to three villages and opportunities exist to accommodate housing needs efficiently upon small parcels of land. Growth and expansion of local businesses is expected to result from development within the settlements, the conversion of rural buildings to workshops and appropriate extensions of existing employment sites where environmentally acceptable.
Promote mixed use and encourage multiple benefits from the use of land	This will be achieved through supporting the current spatial arrangement which will meet this sustainable development objective. The spatial arrangement comprises a rural parish with the major settlement of Kingsland at its heart, providing a range of services and facilities.
Conserving heritage according to significance and to contribute to quality of life	A high priority is given to this objective, with policies to cover assets that add to HCS policies by emphasising the importance to local character and distinctiveness, especially within Kingsland's Conservation Area.
Manage pattern of growth to make fullest use of sustainable transport measures and focus significant development in locations that are or can be made sustainable.	The Plan has little opportunity to contribute in any meaningful way to this objective, but does require appropriate infrastructure to support walking and cycling. The matter has to be addressed at the strategic level and it is assumed that HCS rural development strategy and policy provides support for this objective through the levels of development being promoted in rural communities.
Support local strategies for improving health, social and cultural well being	So far as the Plan is able to address these issues, which are largely strategic in nature and given the plan area is sparsely populated, measures are included to support local services and facilities, including play areas and open space.

Section 3 – Compliance with the NPPF and Herefordshire Core Strategy

National Planning Policy Guidance Provision	Relevant Herefordshire Core Strategy Policy/Requirement	Kingsland Neighbourhood Plan Policy (NP)/Approach
Achieving Sustainable Development – Place Shaping Approach		
<p>Set out a positive vision for the future of the area (NPPF para 17, bullet 1).</p> <p>Neighbourhood plans should develop a shared vision for their neighbourhood (NPPF para 183 - 185)</p> <p>There should be a presumption in favour of sustainable development (NPPF para 11 – 16)</p>	<p>Vision for the County <i>“Herefordshire will be a place of distinctive environmental, historical and cultural assets and local communities, with sustainable development fostering a high quality of life for those who live, work and visit here. A sustainable future for the county will be based on the interdependence of the themes of social progress, economic prosperity and environmental quality with the aim of increasing the county’s self-reliance and resilience”.</i></p> <p>(Policy SS1 - extract) When considering development proposals take a positive approach that reflects the presumption in favour of sustainable development. Always work proactively to find solutions so that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions.</p> <p>Planning applications that accord with the policies in this Core Strategy and, Neighbourhood Development Plans will be approved, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application then permission will be granted unless material considerations indicate otherwise -taking into account whether:</p> <p>a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against national policy taken as a whole; or b) specific elements of national policy indicate that development should be restricted.</p>	<p>Kingsland Neighbourhood Development Plan (Section 2) sets out a positive vision for the Parish, supported by a number of objectives addressing the core planning principles set out in the NPPF and those sustainability objectives relevant to the parish’s area. This is a shared vision following consultation with the community and which it overwhelmingly endorsed.</p> <p>Policy KNDP 1 sets out the high level sustainable development priorities forming the basis of the spatial strategy for the Parish, complementing HCS policy SS1 and ensuring the plan aligns with the strategic needs and priorities of the wider local area (NPPF para 184). It covers all the relevant sustainable development objectives set out in the NPPF and HCS. It is considered that the provisions in this policy do not conflict with but contribute positively to the sustainable development requirements of the NPPF paras 6-10 and 14-17, and HCS Policy SS1.</p> <p>Policy KNDP 2 identifies where development should normally take place which would contribute to the character of the Parish and plan area. The approach is considered to reflect HCS, in particular its policies RA1 and RA2.</p>

Achieving Sustainable Development – Economic Role

Building a strong, responsive and competitive economy by ensuring sufficient land of the right type is available in the right places and at the right time; and by identifying and co-ordinating development requirements including the provision of infrastructure.

Buildings strong Competitive Economy

Set out a clear economic vision and strategy to positively and proactively encourage sustainable economic growth, to meet development needs of business, address potential barriers to investment and support and economy fit for 21st century. (NPPF paras 18-21)

Provide strategic sites for inward investment to meet anticipated needs (NPPF para 21, bullet 2);

Support existing business sectors (including expansion or contraction) planning for new or emerging sectors (NPPF para 21, bullet 3).

Plan for employment/business clusters or networks of knowledge driven, creative or high technology industries (NPPF para 21, bullet 4)

Identify and plan for priority areas for economic regeneration, infrastructure provision and environmental enhancement (NPPF para 21, bullet 5).

Facilitate flexibly working practices such as live/work units (NPPF 21, bullet 6).

(Policy SS5 - extract) Safeguard existing higher quality employment land from alternative uses. New strategic employment land and smaller scale employment sites will be delivered through the plan period. 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 E1 –Extract) The focus for new employment provision in Herefordshire is to provide a range of locations, types and sizes of employment buildings, land and offices to meet the needs of the local economy. Larger employment proposals will be directed to the strategic employment sites of Hereford, the market towns and rural industrial estates where appropriate. Development proposals which enhance employment provision and help diversify the economy of Herefordshire will be encouraged where: the proposal is appropriate in terms of its connectivity, scale, design and size; the proposal makes better use of previously developed land or buildings; the proposal is an appropriate extension to strengthen or diversify an existing business operation. The provision of viable live/work units as part of mixed use developments will also be encouraged.

(Policy E2 – Extract) Employment land and buildings rated as 'best' and 'good' using the methodology in the *Employment Land*

Section 7 of the plan supports local businesses in a manner consistent with the NPPF and HCS, in particular HCS Policy SS5.

Policy KNDP 2 sets out the development strategy for the parish and its settlements, and includes provision for accommodating the needs of businesses.

HCS does not include any proposal to bring forward strategic employment sites within the parish or suggest such is needed. In addition, there are no specific local circumstances that indicate this is necessary. The parish does not contain any sites identified as higher quality employment land or land falling within the best or good categories of the County's portfolio within the Employment Land Study. Kingsland is a rural area where provision for employment should be in scale with its community and character (NPPF para 21; HCS policy SS5, E1 and E2).

Policy KNDP 17 positively supports the development of local businesses, meeting HCS Policy E1 provisions that support the diversification of the rural economy, with no distinction between traditional forms or those in new or emerging sectors, including high technology forms (NPPF para 21). It contains safeguards but these do not extend beyond those expressed in the NPPF or HCS.

<p>Avoid long term protection of sites allocated for employment where there is no reasonable prospect of it being used.(NPPF para 22).</p>	<p><i>Study 2012</i> (or successor document) will be safeguarded from redevelopment to other non-employment uses. Proposals which would result in the loss of employment land rated as ‘moderate’ will be permitted where:</p> <ol style="list-style-type: none"> 1. the development of the site for other uses would not result in an overall shortage in the quality and quantity of employment land supply in the area; or 2. there would be a net improvement in amenity through the removal of a nonconforming use from within a residential area, and where an alternative use would offer amenity benefits. For sites in existing employment use, consideration should also be given to the ability to relocate existing occupiers where this is necessary; or 3. the proposal would not result in a piecemeal loss of employment land where there is potential for a more comprehensive scheme; <p>In all cases:</p> <ul style="list-style-type: none"> -the viability of the development proposal must be confirmed through a comprehensive assessment; and -there must be evidence of appropriate and active marketing of at least 12 months for a change of use of a B Class employment use and it can be shown that this marketing has been unsuccessful. <p>The provision of ancillary and complementary uses which help meet the day-to-day needs of employment sites and their employees and improve the sites’ attractiveness to businesses, will be permitted where they are of a scale which does not impact on the overall supply of employment land.</p> <p>(Policy E3 – Extract) 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:</p>	<p>No specific locational requirements have been identified for economic regeneration or environmental enhancements (NPPF para 21). However, the need to upgrade Kingsland Sewage Treatment Works has been recognised and provisions included in the plan through Policy KNDP 9.</p> <p>Policies KNDP 17 and 18 support traditional employment sectors including farming, business diversification and new forms of business provided they are in scale with the rural character of the area and do not have any adverse effect on the community (amenity), transport and environment (HCS policy SS5).</p> <p>The provision of high speed broadband is supported (Policy KNDP 11).</p> <p>Policy KNDP 17 also seeks to avoid the unnecessary loss of business premises and supports the similar requirement set out in HCS policy E2</p> <p>The plan is happy to rely upon HCS policies related to working from home and the establishment of live-work units together with the criteria listed in Policy KNDP 17 and paragraph 7.3 explains the NDP policy approach.</p> <p>The NDP where it relates to economic development is considered consistent with the provisions contained within the NPPF and HCS which aim to support business and enterprise. The criteria which may restrict such development are similar to safeguarding provisions in both the NPPF and HCS and</p>
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	<ul style="list-style-type: none"> - 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. 	<p>relate primarily to amenity and the environment.</p>
<p>Supporting a prosperous rural economy</p> <p>Assess the needs of the food production industry and any barriers to investment that planning can resolve (NPPF para 161, bullet 6)</p> <p>Promote growth and expansion of all types of businesses and enterprise through conversions and well-designed new buildings in rural areas (NPPF para 28, bullet 1).</p> <p>Promote diversification and development of agriculture and other land based rural businesses (NPPF para 28, bullet 2).</p> <p>Promote provision and expansion of sustainable rural tourism, visitor facilities and leisure developments that respect the countryside (NPPF para 28, bullet 3).</p> <p>Promote the retention and development of local services and community facilities in villages (NPPF para 28, bullet 4).</p>	<p>(Policy RA5 – Extract) The sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, making a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to or is essential to the social well-being of the countryside, will be permitted where:</p> <ol style="list-style-type: none"> 1. design respects 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. 	<p>Policy KNDP 17 supports the development of all types of local businesses, including through the conversion of rural buildings. It also promotes tourism enterprises of appropriate scale (NPPF para 28; HCS policies RA5, RA6 and E4). The policy would also apply to local services.</p> <p>Policy KNDP 18 specifically supports agricultural, forestry and associated rural enterprises in accordance with NPPF paras 28 and 161.</p> <p>In both instances specific protection is provided to retain the character of the rural area with references to scale, traffic generation and environmental protection. As previously indicated these accord with both the NPPF and HCS</p> <p>Policy KNDP 12 supports development that would enhance the viability of local services and community facilities (NPPF para 28).</p> <p>No distinction is drawn between different employment sectors except in terms of directing light industrial operations to converted premises or brownfield sites. Support for tourism is specifically highlighted. In addition, no restrictions are placed upon</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 – Extract) Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported. A range of economic activities will be supported, including proposals which:</p> <ul style="list-style-type: none"> - support and strengthen local food and drink production; - support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses. - involve the small scale extension of existing businesses; - promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 -Tourism; - promote the sustainable use of the natural and historic environment as an asset which is valued and conserved; - support the retention of existing military sites - support the retention and/ or diversification of existing agricultural businesses. <p>Planning applications which are submitted in order to diversify the rural economy will be permitted where they;</p> <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 and dust, lighting and smell; - do not generate traffic movements that cannot safely be accommodated within the local road network; and - do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4. 	<p>development proposals for or associated with agricultural diversification, new technologies, and local services except that they should be of appropriate scale and character and do not affect visual or residential amenity (meeting the provisions of NPPF para 28; HCS policies RA5, RA6 and E4).</p> <p>The NDP where it relates to the rural economy is considered consistent with the provisions contained within the NPPF and HCS.</p>
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	<p>(Policy E4 – Extract) 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:</p> <ol style="list-style-type: none"> 1. 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 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; 2. retaining and enhancing existing, and encouraging new, accommodation and attractions throughout the county, 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 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 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 	
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	that would prevent or prejudice the restoration of a continuous route will not be permitted	
<p>Supporting high quality communications infrastructure</p> <p>Support the expansion of the electronic communications network, including broadband but keeping the number of masts to a minimum, using existing buildings and structures, with new sites sympathetically designed (NPPF para 43).</p>	<p>(Policy SD1 – Extract) 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 (among others):</p> <ul style="list-style-type: none"> ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development; 	<p>Policy KNDP 11 meets the provision in NPPF para 43 to support the expansion of broadband infrastructure for businesses and residential property. It also meets and supports the provision in HCS policy SD1 for new properties to have the appropriate infrastructure included in the construction of properties to provide for broadband. Provision for broadband is a local and site specific issue. Other electronic communication equipment utilising masts needs to be considered at a wider level so HCS is considered more appropriate.</p> <p>The policy will support the sustaining and development of local businesses including promoting home working.</p>
<p>Provision of Infrastructure</p> <p>Work with other authorities and providers to assess the quality and capacity of (among others) infrastructure for transport, water supply and wastewater and its treatment (NPPF para 162, bullet 1)</p> <p>Encourage transport solutions that support reductions in greenhouse gas emissions and reduce congestion (NPPF para 30).</p>	<p>(Policy SS4 – extract) New developments should be designed and located to minimise the impacts on the transport network; ensuring that the efficient and safe operation of the network are not detrimentally impacted. Where possible development proposals should be accessible by and facilitate a genuine choice of modes of travel. Development proposals that will generate high journey numbers should be in sustainable locations, accessible by means other than private car or alternatively, be required to demonstrate that they can be made sustainable by reducing unsustainable transport as required in future local or neighbourhood development plans and developer contributions, which meet the statutory tests, patterns and promoting travel by walking, cycling and public</p>	<p>HCS has determined where development should be located and this takes into account the needs of rural areas (NPPF para 34).</p> <p>There are no proposals at this time for transport infrastructure affecting the Parish (NPPF para 41).</p> <p>Policy KNDP 8 indicates that the Parish Council will work with Herefordshire Council in relation to transport infrastructure (NPPF para 162; HCS policy SS4) in particular to</p>

<p>Developments that generate significant amounts of movements should be supported by Transport Statements or Transport Assessments to show sustainable transport modes have been taken into account, safe and suitable access can be achieved, and improvements to the transport network to limit impacts on development can be undertaken (NPPF paras 32 and 36)</p> <p>Locate development that generate significant movements where the need to travel will be minimised and sustainable transport modes maximise, but take into account policies for rural areas (NPPF para 34).</p> <p>Give priority to pedestrians and cycle movements (NPPF para 35, bullet 2).</p> <p>Create safe and secure layouts, minimising conflicts between users, avoiding clutter (NPPF para 35, bullet 3)</p> <p>Consider the needs of people with disabilities by all modes of transport (NPPF para 35, bullet 5).</p> <p>Balance land uses so people can be encouraged to minimise journey length (NPPF para 37).</p> <p>Set local parking standards taking account of accessibility, type of</p>	<p>transport. Proposals to provide new and improved existing public transport, walking and cycling infrastructure will be supported. Where appropriate, land and routes will be safeguarded and developer contributions sought to assist with the delivery of new sustainable transport infrastructure, including that required for alternative energy cars.</p> <p>Herefordshire Council will work with the Highways Agency, Network Rail, bus and train operators, developers and local communities to bring forward improvements to the local and strategic transport network to reduce congestion, improve air quality and road safety and offer greater transport choices.</p> <p>Development proposals incorporating commercial vehicular movements that could detrimentally impact on the environmental quality, amenity, safety and character of the surrounding locality will be expected to incorporate evidence demonstrating how the traffic impacts are to be mitigated.</p> <p>Policy SS7- Extract) Development proposals will be expected to include measures which will mitigate their impact on climate change.</p> <p>At a strategic level, this will include:</p> <ul style="list-style-type: none"> • delivering development that seeks to reduce the need to travel by private car and which encourages sustainable travel options including walking, cycling and public transport. <p>(Policy MT1 – Extract) Development proposals should incorporate the following principle requirements covering movement and transportation:</p> <ol style="list-style-type: none"> 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; 	<p>encourage walking and cycling (NPPF paras 30 and 35; HCS policy SS7).</p> <p>It is not currently envisaged that development generating significant traffic will take place within the Parish but there may be such development in areas elsewhere that might result in such traffic passing through it. However, Policy KNDP 8 does include a criterion that would address the issue identified in NPPF para 32/36 and HCS policy SS4.</p> <p>HCS policies SS4, MT1 and SD1 cover requirements in terms of ensuring traffic generated by developments in general should be accommodated on the highway network and on-site arrangements for vehicles and sustainable transport measures. These HCS policies are considered sufficient for the needs of the Parish but Policy KNDP 8 supplements and strengthen these where there is considered to be a local requirement or the community has expressed concern.</p> <p>Policy KNDP 8 promotes the provision of off-road parking which has been identified as an issue within the village centre in order that the main village street can properly absorb traffic (HCS policy MT1). However, Policy KNDP 8 supports HCS parking standards, there being no evidence to suggest different standards are required (NPPF 39).</p> <p>No constraints have been identified in terms of water supply within the Parish (NPPF para 162).</p> <p>Kingsland Neighbourhood Development Plan recognises there is a potential constraint in</p>
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<p>development, availability of public transport, car ownership and need to reduce the use of high emission vehicles (NPPF para 39).</p> <p>Identify and protect sites and routes critical in developing infrastructure to widen transport choices (NPPF para 41)</p> <p>Local Plans should take account of climate change over the longer term including factors such as (inter alia) water supply (NPPF para 99).</p> <p>Minimise pollution on the local and natural environment (NPPF para 10)</p>	<p>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;</p> <p>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;</p> <p>5. protect existing local and long distance footways, cycle-ways 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</p> <p>6. have regard to 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.</p> <p>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.</p> <p>(Policy SD3 – Extracts) 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> <p>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;</p>	<p>terms of wastewater treatment, specifically in relation to Kingsland Waste Water Treatment Works (WwTWs), and this may have an adverse effect on the River Lugg and subsequently the River Wye SAC. This is highlighted in various documents within the HCS evidence base. Policy KNDP 9 highlights this issue to potential developers requiring them to show that development will not overload the sewage treatment work system. It is also recognised that Kingsland WwTWs requires improvements in order to reduce the levels at which phosphates are discharged into the River Lugg. The Environment Agency has indicated in work to prepare a Nutrient Management Plan that currently the Best Available Technology for small treatment works may not achieve the required level. Policy KNDP 9 also seeks to address this issue together with the potential for Onsite Waste Water Treatments Works to add to diffuse pollution in the River Lugg, which is a particular problem within the Lugg sub-catchment. Policy KNDP 9 is therefore not just specific to Kingsland village but supports the approach set out in HCS policy SD4.</p> <p>The wastewater treatment needs of development elsewhere in the parish, including at Shirleath and Cobnash, which are not on mains drainage, would also fall to be determined under Policy KNDP9 as well as the county-wide provisions of HCS policy SD4.</p> <p>The NDP where it relates to the provision of infrastructure is considered consistent with the</p>
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	<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>7. the separation of foul and surface water on new developments is maximised;</p> <p>9. development should not cause an unacceptable risk to the availability or quality of water resources; and</p> <p>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> <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 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>provisions contained within the NPPF and HCS.</p>
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	<p>(Policy SD4 – Extract)</p> <p>Development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater.</p> <p>In the first instance developments should seek to connect to the existing mains wastewater infrastructure network where nutrient levels do not exceed conservation objectives within a SAC designated river. Proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development. This may involve:</p> <ul style="list-style-type: none"> • measures to achieve water efficiency and/or a reduction in surface water discharge to the mains sewer network, in accordance with policy SD3; • phasing or delaying development until capacity is available; • developer contributions to contribute to improvements to waste water treatment works or other appropriate measures to release capacity to accommodate new development; • planning permission will only be granted where it can be demonstrated that there will be no adverse effect on the integrity of the SAC; 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. <p>Where connection to the wastewater infrastructure network is not practical, alternative options should be considered in the order:</p> <ul style="list-style-type: none"> - provision of or connection to a package sewage treatment works; - septic tank. <p>With either of these non-mains alternatives, proposals should be accompanied by the following:</p>	
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	<ul style="list-style-type: none"> - information to show there will be no likely significant effect on the water quality of the River Wye and the River Clun SACs; or - where there will be a likely significant effect upon a SAC river, information to enable the council to ascertain that there will be no adverse effect on the integrity of the SAC; - in relation to then SACs, the inclusion of measures achieving the highest standard of water quality discharge to the natural drainage system including provision for monitoring. <p>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.</p>	
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Achieving Sustainable Development – Social Role

Supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; creating a high quality built environment, with accessible local services that reflect the community’s needs and supports its health, social and cultural well-being.

Delivering a wide choice of high quality homes

Identify sites that are key to delivery of the strategy within the housing market area over the plan period (NPPF para 47, bullet 1).

Illustrate housing delivery over the plan period showing of a 5 – year supply of housing land (NPPF para 47 bullet 4)

Set out approach to housing density to reflect local circumstances (NPPF para 47, bullet 5).

Make allowance for windfalls in the 5-year supply where compelling evidence (NPPF para 48).

Plan for a mix of housing based on demographic trends, market trends and needs of different groups (NPPF para 50, bullet 1)

Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand (NPPF para 50, bullet 2).

Set policies to meet identified affordable housing need on site unless offsite provision can be robustly justified but ensuring mixed

(Policy SS2 – extract) In the rural areas new housing development will be acceptable where it helps to meet local 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 may be less in sensitive areas.

(Policy SS3 – Extract) A sufficient supply of housing land will be maintained to ensure the delivery of the Core Strategy housing target as set out in Policy SS2 over the plan period. The rate of housing delivery and supply will be assessed though the annual monitoring process. If monitoring demonstrates that the number of new dwelling completions is below the cumulative target figure over a 12-month monitoring period (1 April to 31 March) as set out in the housing trajectory in Appendix 4 the Council will prioritise increasing housing supply in the following monitoring periods using appropriate mechanisms which, depending on the scale and nature of potential under-delivery, will include:

- A partial review of the Local Plan – Core Strategy: or
- The preparation of new Development Plan Documents; or
- The preparation of an interim position statement and utilising evidence from the Strategic Housing Land Availability Assessment to identify additional housing land

The strategy for delivering housing (and other forms of development) within the parish and its settlements is set out in **Policy KNDP 2 and then Section 6 of the plan**. It also restricts new houses in the open countryside to special cases, indicating that relevant policies in HCS will be applied, particularly its Policy RA3 (NPPF paras 54 and 55).

There are no strategic site locations identified within Kingsland Parish. The provision of sites to meet the housing target (65 over the period 2011 to 2031) within the Parish will substantially be met through planning permissions already granted (NPPF paras 47, 52 and 55). A modest allowance for rural windfall development of 12 further dwellings through HCS Policies such as RA3 has been assessed based on an analysis of recent trends both within the Parish and across the County (NPPF para 48). An existing planning permission provides affordable housing to meet current assessed needs. The outstanding housing requirement for the plan period is some 25 dwellings and these are provided for through proportional growth enabled by the defining of settlement boundaries for the three villages named in Herefordshire Core Strategy tables 4.14 and 4.15. Further on-site affordable housing provision is unnecessary according to current estimates (NPPF para 50). No particular cases

<p>and balanced communities (NPPF para 50, bullet 3).</p> <p>Bring back into use empty houses and buildings (NPPF para 51)</p> <p>Consider utilising extensions to existing villages where this follows the principles of Garden Cities where support from local communities (NPPF para 52).</p> <p>Restrict inappropriate development of residential gardens where will cause harm to the local area (NPPF para 53)</p> <p>In rural areas be responsive to local circumstances, reflecting local need, particularly for affordable housing on 'exception sites' and whether allowing some market housing would facilitate additional affordable housing form local need (NPPF para 54).</p> <p>In rural areas locate housing to maintain or enhance the vitality of rural communities, enabling development in one village where it will support services in a nearby one (NPPF para 55).</p> <p>Avoid isolated housing in the countryside by restricting to special circumstances (NPPF para 55 with bullets setting out circumstances).</p>	<p>Appendix 5 sets out the relationships between the delivery of housing and the timing of the main infrastructure requirements. It also identifies actions necessary to safeguard the integrity of the River Wye Special Area of Conservation (SAC) from significant adverse effects. The Council will actively monitor the relationships identified in this appendix. Any material delays in the implementation of identified infrastructure of environmental safeguards and which will lead to under-delivery of housing supply will inform the implementation of the range of measures set out above to ensure plan-led corrective measures are put in place *** The delivery and supply of new housing will be monitored on a regular basis and through the annual monitoring process in particular. Appendix 4 sets out an indicative trajectory for total housing completions, which will provide a basis for monitoring completions over the plan period. In the event that the monitoring process demonstrates that the rate of completions has fallen below targets, an early assessment will be made as to the most appropriate mechanism to boost housing delivery depending upon the scale and nature of the issue.</p> <p>(Policy RA1 – Extract) 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 seven Housing Markets Areas (HMA) and illustrated in Figure 4.13 This acknowledges that different areas of Herefordshire have different housing needs and requirements.</p> <p>(A 14% growth target for the parish of Kingsland is indicated in HCS and this would amount to 65 dwellings over the period 2011 to 2031. This should inform the approach to housing provision to meet future housing needs much of which should be provided through the neighbourhood plan and to be met in a locally focussed way.)</p>	<p>where houses can be brought back into use have been identified (NPPF para 51).</p> <p>No requirement to phase development has been indicated and this is supported by the fact that the majority of the housing target for the parish has been met through outstanding planning permissions (HCS policy SS3).</p> <p>Policies KNDP 14 (Kingsland), KNDP 15 (Shirlheath) and KNDP 16 (Cobnash) make provision to meet the housing needs set out in HCS polices RA1 and RA2.</p> <p>The minimum housing target for the Parish over the plan period 2011 to 2031 indicated by Herefordshire Council is 65. Dwellings completed or under construction (18) and outstanding planning permissions (22) provide some 40 dwellings leaving a current minimum to be found of 26 dwellings. This can be met and exceeded through sites known to be available within the defined settlement boundaries and the allowance for rural windfall development.</p> <p>Settlement boundaries are defined for the three settlements identified within HCS tables 4.14 and 4.15 in order to meet the requirements of HCS policy RA2 and specifically HCS paragraph 4.8.23. The boundaries for Kingsland village, Shirlheath and Cobnash each provide opportunities for further housing development in order that the HCS housing target for the parish will be met and most likely exceeded.</p> <p>Policy KNDP 14 (Kingsland village) proposes a settlement boundary within which there is land capable of accommodating 26 dwellings</p>
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	<p>(Policy RA2 – Extract) To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in those settlements identified in Figures 4.20 and 4.21. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of their 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 4.20 and 4.21. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets.</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 4.21 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that contributes to or is essential to the social well-being of the settlement concerned; 2. Their locations make best and full use of suitable brownfield sites wherever possible; 3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and 4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand. <p>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.</p>	<p>on available sites. Historic windfall rates within the village suggest these will come forward readily. However other parcels of land also present opportunities but currently are not expected to come forward within the plan-period. The past windfall rate within the settlement over the period 2001 – 2015 was around 3 dwellings per annum.</p> <p>Policy KNDP 15 (Shirlheath) proposes a development boundary. The settlement form of Shirlheath is one where properties are spread across a large area and hence not conducive to having a settlement boundary defined. The development boundary defines the main built up area of the settlement in order to meet HCS Policy RA2.1. Within this boundary there are sites known to be available for 5 dwellings although other opportunities are present but currently not indicated as available.</p> <p>Policy KNDP 16 (Cobnash) is similarly based upon a development boundary for a similar reason to that for Shirlheath. Within this boundary there are sites known to be available for 6 new dwellings although other opportunities are present but currently not indicated as available.</p> <p>Policy KNDP14 requires provision to be made for affordable housing in accordance with HCS policies for any sites of sufficient size that come forward within the Kingsland village although currently the assessed need for social housing is small and likely to be met through a current planning permission. The emphasis is placed upon providing opportunities for self-build and commissioned housing to meet local needs.</p>
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	<p>(Policy RA3 – Extract) 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:</p> <ol style="list-style-type: none"> 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; 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 <p>(Policy H1 – Extract) All new open market housing proposals on sites of more than 10 dwellings which have a maximum combined gross floor space of more than 1000sqm will be expected to contribute towards meeting affordable housing needs.</p> <p>The amount and mix of affordable housing including those on strategic housing sites will vary depending on evidence of housing need as identified through the latest housing market assessment, and an assessment of the viability of the development. The following indicative targets have been established based on evidence of need and viability in the county's housing market and housing value areas:</p>	<p>Kingsland is the location that contains services and facilities that households requiring such housing will need access to. The provision of any further affordable social housing beyond that approved through the planning permission already granted would need to be identified by up-to-date surveys and provided through off-site provision utilising HCS Policy H2.</p> <p>Mortimer's Cross is a small settlement that straddles four parishes and only a small part is in Kingsland Parish. None of what might be defined as its built up area falls within the parish.</p> <p>Policies KNDP 14, KNDP 15 and KNDP 16 require housing development to meet criteria to reflect the existing scale, character, density and massing of existing properties in the vicinity. It is considered this addresses the density issue in the most appropriate way (NPPF para 47, bullet 5). HCS policy SS2 recognises that lower densities may be appropriate in sensitive areas. Kingsland village falls within a large conservation area; Shirlheath and Cobnash have relatively low density characteristics. The references in the policies are considered sufficient to cover the issue of development within rear gardens (NPPF para 53).</p> <p>None of these or other policies elsewhere in this NDP are considered inconsistent with Government or HCS provisions relating to supporting the sustainable provision of both market and affordable housing to meet local and wider needs while protecting environmental and social considerations of acknowledged importance.</p>
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	<p>1. a target of 35% affordable housing provision on sites in the Hereford, Hereford Northern and Southern Hinterlands, and Kington and West Herefordshire housing value areas;</p> <p>2. a target of 40% affordable housing provision on sites in the Ledbury, Ross and Rural Hinterlands; and Northern Rural housing value areas (which includes Bromyard);</p> <p>3. a target of 25% affordable housing provision on sites in the Leominster housing value area.</p> <p>Any affordable housing provided under the terms of this policy will be expected to be available in perpetuity for those in local housing need.</p> <p>(Policy H2 – Extract) Proposals for affordable housing schemes in rural areas may be permitted on land which would not normally be released for housing where:</p> <ol style="list-style-type: none"> 1. the proposal could assist in meeting a proven local need; and 2. the 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. <p>In order to enable the delivery 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 to demonstrate that the proposed scale of market housing is that required for the delivery of affordable housing.</p> <p>(Policy RA5 – Extract)</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</p>	
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	<p>otherwise contributes to 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; 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. <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 H3 – Extract) 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 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: -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; - 	
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	<p>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</p>	
<p>Promoting healthy communities</p> <p>Promote mixed-use developments, strong neighbourhood centres and active street frontages (NPPF para 69, bullet 1)</p> <p>Promote safe and accessible environments to avoid fear of crime and promote cohesion (NPPF paragraph 69, bullet 2)</p> <p>Promote safe and accessible developments with clear legible pedestrian routes, high quality public spaces to encourage active and continual use of public areas (NPPF para 69, bullet 3).</p> <p>Plan positively for the provision and use of shared space, community facilities (e.g. meeting places, public houses) and other local services (NPPF para 70, bullet 1).</p> <p>Guard against unnecessary loss of valued facilities and service, enabling them to develop and modernise in sustainable ways (NPPF para 70, bullets 2 & 3)</p> <p>Integrate location of housing, economic uses and community</p>	<p>(Policy SD1 – Extract) 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 (among others):</p> <ul style="list-style-type: none"> • safeguard residential amenity for existing and proposed residents; • create safe and accessible environments that minimise opportunities for crime and anti-social behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measures, particularly the location of establishments where hazardous substances are present; <p>(Policy SC1 – Extract) 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 where 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>Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative is available, or can be provided or it can be shown that the facility is no longer required, viable or no</p>	<p>Kingsland is a rural Parish and Kingsland village contains a range of services and facilities intermingled with housing mainly within its central core. The level and extent of new development is not such that would require the planning of mixed development, but would support the existing village centre facilities (NPPF paras 69 and 70).</p> <p>Policy KNDP 12 supports the retention and creation of services and facilities by enabling development that would enhance their viability, subject to appropriate safeguards relating to protection of amenity, acceptability in highway terms and does not restrict or detrimentally affect existing adjacent uses (NPPF para 70; HCS policy SC1).</p> <p>The needs of the village primary school and pre-school (NPPF para 72); play facilities (NPPF paras 73/74); facilities for the elderly were identified as important and included in Policy KNDP 12.</p> <p>Policy KNDP 13 identifies and protects green spaces and areas of local importance as Local Green Space (NPPF paras 76-78; HCS policy OS2).</p> <p>The extent of development required to meet the needs of villages within the Parish are</p>

<p>facilities and services (NPPF para 70, bullet 4)</p> <p>Work with those involved with schools to identify and resolve key issues to enable them to be created, expanded and altered (NPPF para 72, bullet 2).</p> <p>Protect and provide opportunities for new open space, sports and recreational facilities and land based on robust and up-to-date assessments (NPPF paras 73 & 74).</p> <p>Protect and enhance public rights of way and access (NPPF para 76).</p> <p>Identify and provide special protection for green areas by designating Local Green Space (NPPF paras 76-78).</p>	<p>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.</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> <p>(Policy OS2 – Extract) In order to meet the needs of the community, provision for open space, sports and recreation facilities will be sought, where appropriate, taking into account the following principles:</p> <ol style="list-style-type: none"> 1. any new development must be in accordance with all applicable set standards of quantity, quality and accessibility; and 2. provision of open space, sports and recreation facilities should be located on-site unless an off-site or partial off-site contribution would result in an equally beneficial enhancement to an existing open space, sports and/or recreation facility which are of benefit to the local community. <p>(Policy OS3 – Extract) In determining proposals which result in the loss of an open space, sports or recreation facility, the following principles will be taken into account:</p> <ol style="list-style-type: none"> 1. clear evidence that the resource is surplus to the applicable quantitative standard; 2. the loss of the resource results in an equally beneficial replacement or enhanced existing facility for the local community; 3. the loss of the resource is for the purpose of providing an ancillary development which improves the functioning, usability or viability of the resource, e.g. changing rooms, toilets, grandstand accommodation, and function uses; 	<p>such that major areas of new open space will not be needed. Provision should therefore be through supporting and enhancing existing provision in line with HCS policy OS2 (2).</p> <p>There are no proposals that would result in the loss of open or play space (HCS policy OS3).</p> <p>Policy KNDP 3 promotes development that and requires sites to make provision for walking, cycling and reducing the need to travel by car (NPPF para 69).</p> <p>The provision of HCS policy SD1 in relation to creating safe environments, addressing crime prevention and community safety are not duplicated in Kingsland Neighbourhood Development Plan and will be a matter left to be considered through that HCS policy (NPPF para 69).</p> <p>No proposals for new public rights of way are proposed (NPPF para 76) although measures to increase accessibility would be supported through Policy KNDP 13.</p> <p>None of these or other policies elsewhere in this NDP are considered inconsistent with Government or HCS provisions relating to community facilities, services and related health and wellbeing measures.</p>
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	4. the loss of the resource will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.	
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Achieving Sustainable Development – 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.

<p>Requiring good design</p> <p>Plan positively for the achievement of high quality design based on robust and comprehensive objectives for the future of the area and defined characteristics (NPPF para 57).</p> <p>Development should function well and add to the overall quality of the area over its lifetime (NPPF para 58, bullet 1)</p> <p>Establish a strong sense of place, using streetscape and buildings to create attractive and comfortable places to live, work and visit by (NPPF para 58, bullet 2).</p> <p>Optimise potential of site to accommodate development, sustaining a mix of uses and including green and open space, local facilities and transport networks (NPPF para 58, bullet 3)</p> <p>Reflect the identity of local surroundings and materials contributing to local distinctiveness but without discouraging innovation and originality (NPPF para 58, bullet 4).</p>	<p>(Policy SD1 – Extract) 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 (among others):</p> <ul style="list-style-type: none"> • 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 that distinctive features of existing buildings and their setting are safeguarded and where appropriate, restored; • include elements that contribute to the provision of green 	<p>Kingsland Neighbourhood Development Plan gives a high priority to requiring development to be designed to a high standard and to reflect the quality and character of its settlements and the countryside.</p> <p>Policy KNDP 3 complements HCS policy SD1 and sets out the need to address sustainable design issues in an integrated way through considering those features important to the design of individual buildings, those appropriate at the site level and the contribution to the wider community. It does not seek to replicate HCS policy SD1 but is consistent with it.</p> <p>In addition, Policies KNDP 4 (Retaining the Rural Character of Kingsland Parish); KNDP 5 (Protecting Kingsland’s Heritage Assets); KNDP 6 (Retaining the Character of the Conservation Area and Kingsland Village); KDNP 14 (New Homes in Kingsland Village); KNDP 15 (New Homes in Shirleath) and KNDP 16 (New Homes in Cobnash) all address design, seeking to ensure new development respects the character of the area and surroundings, local distinctiveness and a range of amenity issues. The extent and coverage of these policies is such that the Plan seeks to address the issue comprehensively in order to retain the sense of place (NPPF paras 57, 58 and 60). The latter three policies and KNDP 5 seek to</p>
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<p>Create safe and accessible environments, maintaining community cohesion (NPPF para 58, bullet 5).</p> <p>Be visually attractive with good architecture and appropriate landscaping (NPPF para 58, bullet 6).</p> <p>Consider using design codes to deliver high quality outcomes (NPPF para 59)</p> <p>Seek to promote and reinforce local distinctiveness (NPPF para 60).</p> <p>Address the connection between people and places and the integration of new development into the natural , built and historic environment (NPPF para 61)</p> <p>Require developers to work closely with those affected by proposals to evolve design, and take into account the views of the community (NPPF para 66).</p> <p>Consider the need for policies to resist inappropriate development in residential gardens (NPPF para 53).</p>		<p>ensure new development is integrated into the built, historic and natural environment (NPPF para 61).</p> <p>Policy KNDP 13 seeks to retain areas of greenspace within the Parish (NPPF para 58).</p> <p>The design policies would also be relevant should proposals be brought forward for development in rear gardens.</p> <p>The levels of development required are not such that a design code would be appropriate (NPPF para 59).</p> <p>Kingsland Parish Council is aware of Herefordshire Council's Statement of Community Involvement and will use this to ensure those affected are involved in the design process (NPPF para 66)</p> <p>Policy KNDP 3 seeks safe and accessible environments through the promotion of walking and cycling within new developments (NPPF para 58).</p>
<p>Conserving and enhancing the natural environment</p> <p>Landscape</p>		

<p>Take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside (NPPF para 17, bullet 5)</p> <p>Protect and enhance valued landscapes, geological conservation interests and soils (NPPF para 109, bullet 1).</p> <p>Set criteria based policies against which proposals for any development landscape areas will be judged (NPPF para 113).</p> <p>Give great weight to conserving landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty (NPPF para 115). Major development needs to be in the public interest – cannot be met outside (NPPF para 116).</p>	<p>(Policy SS6 – Extract) Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, 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 (among others):</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty; <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 – Extract) 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; • 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 	<p>Policy KNDP 4 seeks to retain the rural landscape character of the Parish (NPPF paras 17, 109 and 113). The Parish does not contain any nationally important landscape designations (NPPF para 115). Policies KNDP 5 and KNDP 6 also seek to protect the overall character and appearance of not only Kingsland Parish but Kingsland village, the main built form of which is within a conservation area. These address the issues covered by HCS policy SS6 and LD1. The intention is that the policies complement those in HCS and do not duplicate them in every instance. It is considered there is no tension between Kingsland Neighbourhood Development Plan landscape character policies and those in HCS.</p>
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<p>Efficient use of land</p> <p>Encourage the effect use of land – reuse previously developed land where not of high environmental value (NPPF para 17)</p> <p>Remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land (NPPF para 109, bullet 5)</p> <p>Allocate land with least environmental or amenity value, consistent with other policies (NPPF para 110).</p> <p>Take into account economic and other benefits of best and most versatile agricultural land, using areas of poorer quality land in preference (NPPF para 112)</p>	<ul style="list-style-type: none"> • 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 SS6 – Extract) Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness. 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 (among others):</p> <ul style="list-style-type: none"> • agricultural and food productivity; <ul style="list-style-type: none"> ▪ 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 SS7- Extract) Development proposals will be expected to include measures which will mitigate their impact on climate change.</p> <p>At a strategic level, this will include:</p>	<p>Policy KNDP 2 sets out, as a strategic issue, the use of brownfield land and the protection of good agricultural land. These are general provisions that apply across the whole of the Plan area. Accordingly, the provisions of the NPPF, and more specifically HCS policies SS3, SS6, SS7, SD1 are considered to be covered appropriately.</p> <p>Kingsland Neighbourhood Development Plan makes provision for the required number of houses in the most efficient way by concentrating development within the settlement boundary in relation to Kingsland, and development boundaries for Shirlheath and Cobnash. Small extensions to existing employment sites may also take place but the requirement does not support major extensions that would have result in the loss of productive agricultural land of have an impact on the environment.</p>
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<p>Biodiversity</p> <p>Recognise the wider benefits of ecosystem services (NPPF para 109, bullet 2).</p> <p>Minimise impacts on biodiversity providing net gains where possible, especially establishing coherent ecological networks (NPPF para 109, bullet 3)</p> <p>Set criteria based policies against which proposals for any development affecting protected geodiversity and wildlife sites will be judged (NPPF para 113).</p> <p>Distinction should be made between the hierarchy of international, national and locally designated sites, so protection is appropriate to their status and gives appropriate weight to their importance and contribution to the wider ecological network (NPPF para 113)</p> <p>Set out a strategic approach and plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure (NPPF para 114, bullet 1)</p> <p>Plan for biodiversity at the landscape scale (NPPF para 117, bullet 1)</p>	<ul style="list-style-type: none"> • supporting affordable, local food production, processing and farming to reduce the county’s contribution to food miles*; • protecting the best agricultural land where possible. <p>(Policy SS6 – Extract) Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its biodiversity 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 (among others):</p> <ul style="list-style-type: none"> • biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest; • the network of green infrastructure; <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 LD2 – Extract) Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:</p>	<p>Policy KNDP 4 seeks measures to enhance the ecological network of the Parish requiring development to contribute to the network and to advance measures that support designated and local sites (NPPF paras 109, 114 and 117). It requires trees, hedgerows and orchards specifically and natural assets generally to be retained. These are included as criteria within the policy (NPPF para 113)</p> <p>In combination Policies KNDP 4 and KNDP 13 combine to ensure that ecological networks and green infrastructure within the Parish is covered in accordance with the NPPF requirements as well as HCS policies SS6, SD1, LD2 and LD3. The former covers the issues within HCS policy LD2 upon which Kingsland Parish Council is able to make a judgement.</p> <p>There is no Nature Improvement Area within the Parish (NPPF 17), nor any Special Area of Conservation (SAC) (NPPF para 119). However, the River Lugg flowing through the Parish is a Site of Special Scientific Interest which becomes a SAC to the south of Leominster and consequently protecting the ecological status of the River Lugg is appropriate in accordance with NPPF para 113. Policy KNDP 9 seeks to avoid any further deterioration in the water quality of the River Lugg that feeds into the River Wye SAC by supporting measures to improve waste water treatment and resisting development that would adversely affect the River Lugg</p>
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<p>Identify and map constraints of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them, and areas identified by LNP for habitat restoration or creation (NPPF para 117, bullet 2).</p> <p>Promote the preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species linked to national and local targets and identify suitable indicators for monitoring (NPPF para 117, bullet 3).</p> <p>Prevent harm to geological conservation interests (NPPF para 117, bullet 4)</p> <p>Where Nature Improvement Areas are identified specify the types of development that may be appropriate in those areas (NPPF para 117, bullet 5).</p> <p>If significant harm cannot be avoided, adequately mitigated or compensated for then planning permission should be refused. (NPPF para 118, bullet 1).</p> <p>The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Habitats Directive is being</p>	<p>1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows:</p> <p>a) Development that is likely to harm sites and species of European Importance will not be permitted;</p> <p>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;</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> <p>2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and</p> <p>3. creation of new biodiversity features and wildlife habitats.</p> <p>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.</p> <p>.</p> <p>Policy LD3 – Green infrastructure</p>	<p>through discharges into it either through point source or diffuse pollution arising from new development.</p> <p>It is considered there is no apparent conflict between the policies in this plan covering biodiversity and those in HCS. Policy KNDP 4 indicates that the safeguarding of Internationally and nationally important sites will be undertaken through compliance with HCS Policy LD2 (NPPF para 13).</p>
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<p>considered, planned or determined (NPPF para 119).</p> <p>Control of pollution and land stability</p> <p>Minimise pollution on the local and natural environment (NPPF para 10)</p> <p>Prevent development contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability (NPPF para 109, bullet 4)</p> <p>Remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land (NPPF para 109 bullet 5)</p> <p>Ensure development is appropriate to the location taking into account the effects (including cumulative) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects of pollution (NPPF para 120).</p> <p>Developers should secure the safe development of sites affected by contaminated land or land stability issues (NPPF para 120).</p>	<p>Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:</p> <ol style="list-style-type: none"> 1. identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain; 2. provision of on-site green infrastructure, in particular proposals will be supported where this enhances the network; and 3. integration with, and connection to, the surrounding green infrastructure network. <p>(Policy SS6 – Extract) Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, 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 (among others):</p> <ul style="list-style-type: none"> • local amenity, including light pollution, air quality and tranquillity; <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</p>	<p>Policy KNDP 9 is particularly important in terms of supporting measures to improve water quality through the River Wye Nutrient Management Plan</p> <p>The provisions of HCS policies SS6 and SD1 are considered sufficient for most of the needs of the Parish in relation to addressing pollution, contaminated land and land stability which are issues requiring high levels of professional advice not available to the Parish Council. Furthermore, with the exception of a general provision to protect amenity, reference to minimising external lighting in Policy KNDP 3, and one further exception set out in Policy KNDP 18 relating to pollution arising from agricultural uses, no specific policy to cover the control of pollution and land stability is advanced. Accordingly, the provisions of HCS policies SS6 and SD1 are considered sufficient for the needs of the Parish. This is also the case in relation to mitigation or compensation for any loss (NPPF para 118)</p>
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<p>Ensure any site for a new use takes account of ground conditions and land instability including mining, pollution arising from previous uses, and any mitigation impacts on remediation or impacts on the natural environment arising from remediation (NPPF para 121, bullet 1).</p> <p>The development itself should be an acceptable use of land, and the impacts of use, rather than the control processes or emissions themselves which are subject to approval under pollution control regimes (NPPF para 122).</p> <p>Avoid noise giving rise to significant adverse impacts on health and quality of life (NPPF para 123, bullet 1)</p> <p>Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through use of conditions (NPPF para 123, bullet 2).</p> <p>Not have unreasonable restrictions to continuance of business (NPPF para 123, bullet 3).</p> <p>Identify and protect areas of tranquillity (NPPF para 123, bullet 4).</p> <p>Comply with EU limit values or national objectives for pollutants,</p>	<p>supplementary planning documents should inform decisions upon proposals.</p> <p>(Policy SD1 – Extract) 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 (among others):</p> <ul style="list-style-type: none"> • 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; 	
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<p>taking into account Air Quality Management Areas (NPPF para 124).</p> <p>Limit impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation through good design (NPPF para 125).</p> <p>Conserving and enhancing the historic environment</p> <p>Set out a positive strategy for the conservation and enjoyment of the historic environment (NPPF para 126).</p> <p>Are there any heritage assets most at risk through neglect, decay or other threats that can be addressed through enabling development (NPPF para 126)?</p> <p>Take account of the desirability of sustaining and enhancing the significance of heritage assets (NPPF para 126, bullet 1)</p> <p>Tale account of the wider social; cultural, economic and environmental benefits that conservation of the historic environment can bring (NPPF para 126, bullet 2)</p> <p>Take account of the desirability of new development making appositive contribution to local character and</p>	<p>(Policy SS6 – Extract) Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, historic 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 (among others):</p> <ul style="list-style-type: none"> • landscape, townscape and local distinctiveness especially Special Areas of Conservation and Sites of Special Scientific Interest, • historic environment and heritage assets especially Scheduled Monuments and Listed Buildings; 	<p>Policy KNDP 5 protects the Parish’s heritage as a whole, covering its historic landscape character; its important buildings, archaeological sites and other heritage assets; This overall strategy meets the provisions of NPPF para 126 in particular. This policy includes those heritage assets of local importance (NPPF para 135).</p> <p>Policy KNDP 5 also covers works to traditional rural buildings which should take into account those buildings identified in the Herefordshire Farmstead Characterisation Project and reference should be made to the objectives set out by Historic England for these buildings when considering their development. This would help in assessing significance in accordance with NPPF paras 28 and 29.</p> <p>HCS policies SS6 and LD4 which set out provisions that reflect important criteria such as significance (NPPF paras 128 and 129), and the assessment of importance (NPPF para 131), among other matters. Policy KNDP 5 complements these and adds an objective that protecting the Parish’s historic character and local distinctiveness should also be taken</p>
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<p>distinctiveness (NPPF para 126, bullet 3)</p> <p>Developers should describe the significance of any heritage asset and its setting affected by proposals and LPAs should also identify and assess significance, taking this into account when considering the impact of proposals on heritage assets (NPPF paras 128 and 129).</p> <p>Ensure policies for development affecting historic assets and their settings are properly assessed, including considering uses consistent with their conservation, their contribution to the community, their economic viability, and contribution to local character and distinctiveness (NPPF para 131).</p> <p>Harm or loss should require clear and convincing justification. Substantial harm or loss of a designated heritage asset should be exceptional and wholly exceptional for assets of higher weight (NPPF paras 132 and 133).</p> <p>Less than substantial harm should be weighed against public benefit (NPPF para 134)</p> <p>The effect of development on the significance of locally important assets should be balanced against the scale of the harm (NPPF para 135).</p>	<ul style="list-style-type: none"> • the network of green infrastructure; <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 LD4 – Extract) Development proposals affecting heritage assets and the wider historic environment should:</p> <ol style="list-style-type: none"> 1. preserve or where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible; 2. the conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design. where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas; 3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes; 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. <p>The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p>	<p>into account (NPPF para 58), clearly suggesting that heritage is of the utmost importance</p> <p>Policy KNDP 6 addresses Kingsland Conservation Area specifically and sets out requirements that will enable development to conserve or enhance the area, in particular protecting those elements that contribute positively to its character and appearance, (NPPF para 137). This complies especially with HCS policy SS6.</p> <p>None of these or other policies elsewhere in this NP are considered inconsistent with Government of HCS provisions relating to protecting and enhancing the environment and sustainable use of land.</p>
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<p>Look for opportunities for new development within conservation areas or within the setting of a heritage asset to enhance or better reveal their significance (NPPF para 137)</p> <p>Non designated heritage assets of archaeological interest that are demonstrably equivalent to a scheduled monument should be considered subject to policies for designated heritage assets (NPPF para 139)</p> <p>Make information about the significance of the historic environment gathered as part of the plan making process publicly assessable (NPPF para 141).</p> <p>Developers should record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and the impact, making evidence publicly accessible (NPPF para 141)</p>		
<p>Waste Planning</p> <p>Local authorities should have regard to policies in National Waste Management Plan and other policies in the NPPF so far as they may be relevant (NPPF para 5).</p>	<p>(Policy SS6 – Extract) Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, 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</p>	<p>No specific strategic proposals for dealing with waste are included in HCS and no local issues have been identified to be included in Kingsland NDP. The matter needs to be addressed upon a strategic basis and in an integrated way and it is accepted that the Natural Resources/Minerals and Waste Local Plan will be the most appropriate plan to cover this issue.</p>

	<p>information to determine the effect upon each where they are relevant (among others):</p> <ul style="list-style-type: none"> • physical resources, including management of waste. <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 where undertaken to define local distinctiveness, should inform decisions upon proposals.</p> <p>(Policy SS7- Extract) Development proposals will be expected to include measures which will mitigate their impact on climate change.</p> <p>Key considerations in terms of responses to climate change include (among others):</p> <ul style="list-style-type: none"> • reduction, re-use and recycling of waste with particular emphasis on waste minimisation on development sites; <p>Policy SD1 – Sustainable design and energy efficiency</p> <p>Development proposals should include high quality sustainable design that also creates a safe, accessible, well integrated environment for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements (among others):</p> <ul style="list-style-type: none"> • 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; 	<p>However, Policy KNDP 3 (1) requires development proposals to make provision for recycling storage and this is considered a measure that would support the significant emphasis that is likely to be promoted through any Minerals and Waste Local Plan. In addition, Policy KNDP 3 (4) requires developers to consider how they might minimise construction waste as part of its overall approach.</p>
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<p>Meeting the challenge of climate change, flooding and coastal change</p> <p>Plan in locations and ways to reduce greenhouse gas emissions (NPPF para 95, bullet 1).</p> <p>Actively support energy efficiency improvements to existing buildings (NPPF para 95, bullet 2).</p> <p>Positively promote and maximise energy from renewables and low carbon sources while ensuring adverse effects are addressed satisfactorily, including cumulative effects (NPPF para 97, bullets 1 & 2).</p> <p>Identify opportunities for renewable energy and low carbon sources and/or supporting infrastructure (NPPF para 97, bullet 3).</p> <p>Support community-led initiatives for renewable and low carbon energy (NPPG para 97, bullet 4).</p> <p>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 (NPPF para 97, bullet 5).</p>	<p>(Policy SS7- Extract) Development proposals will be expected to include measures which will mitigate their impact on climate change.</p> <p>At a strategic level, this will include:</p> <ul style="list-style-type: none"> • focussing development to the most sustainable locations; • designing developments to reduce carbon emissions and use resources more efficiently; • promoting the use of decentralised and renewable or low carbon energy where appropriate; <p>Key considerations in terms of responses to climate change include:</p> <ul style="list-style-type: none"> • taking into account the known physical and environmental constraints when identifying locations for development; • ensuring design approaches are resilient to climate change impacts, including the use of passive solar design for heating and cooling and tree planting for shading; • minimising the risk of flooding and making use of sustainable drainage methods; • reducing heat island effects (for example through the provision of open space and water, planting and green roofs); • developments must demonstrate water efficiency measures to reduce demand on water resources. <p>(Policy SS6 – Extract) Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon</p>	<p>The location of development meets the requirements of HCS policies RA1 and RA2 which it is assumed have been assessed against NPPF para 95, bullet 1 and HCS policy SS7.</p> <p>Kingsland Neighbourhood Development Plan has accepted that the community should take a positive role in promoting renewable or low carbon energy generation as required by the NPPF. However, it also recognises that the forms of such energy it might accommodate are limited because of its particular topography, resources, supporting infrastructure and landscape character. The practicality and viability of using the River Lugg that flows through the parish for low head energy generation is uncertain. Other forms may be possible and the scale of the Parish suggests that the scale would need to be small. An appropriate criteria based policy, including provision that would contribute to a community-wide resource, is put forward (NPPF para 97). Policy KNDP10 is such a criteria based policy that complements HCS policy SD2, containing similar but expanded environmental criteria as well as matters to cover highway impact, pollution, scale and cumulative effect concerns. The criteria within the policy will ensure that the effect of any proposal upon relevant environmental assets will be fully and properly considered.</p>

<p>Ministerial Statement, 18 June 2015 requires that proposals for wind energy development, local planning authorities should only grant planning permission if the development is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and the proposal has their backing.</p> <p>Take account of climate change on water supply and changes to biodiversity and landscape, or manage risk through suitable adaptation measures (NPPF para 99).</p> <p>Development should avoid increased vulnerability arising from climate change in terms of flood risk, including through suitable adaptive measures such as green infrastructure where necessary (NPPF para 99).</p> <p>Use the sequential and exception tests (NPPF para 100)</p> <p>Safeguard land needed for current and future flood management (NPPF para 100, bullet 3)</p> <p>Use development opportunities to reduce causes and impacts of flooding (NPPF para 100, bullet 4)</p>	<p>sufficient information to determine the effect upon each where they are relevant (among others):</p> <ul style="list-style-type: none"> 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 SD2 – Extract) Development proposals that seek to deliver renewable and low carbon energy targets will be supported where they meet the following criteria:</p> <ol style="list-style-type: none"> the proposal does not adversely impact upon international or national designated natural and heritage assets; the proposal does not adversely affect residential amenity; the proposal does not result in any significant detrimental impact upon the character of the landscape and the built or historic environment; and 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. <p>In the case of energy generation through wind power developments, permission will only be granted for such proposals where:</p> <ul style="list-style-type: none"> the proposed site is identified in a Neighbourhood Plan or other Development Plan Document as a suitable site for wind energy generation; and 	<p>Policy KNDP10 together with Policy KNDP3 provides an integrated approach to support carbon reduction measures, including those relating to sustainable design, promoting these as elements within an integrated approach that needs to be pursued for individual buildings, site based matters and those off-site measures that should be considered. The combination support and expand upon the provisions of HCS polices SS7 and SD1 as well as NPPF para 95.</p> <p>Kingsland Neighbourhood Development Plan area possesses land falling within Flood Zone 2. However, no land is proposed for development within this zone in the Neighbourhood Development Plan. No specific flood relief proposals have been identified within the parish (NPPF para 100, bullet 3).</p> <p>Policy KNDP 3 requires developers to take a co-ordinated approach to sustainable design incorporating a number of site-based features including the provision of a sustainable drainage system (including provision for this to serve other properties in the vicinity) and use of permeable surfaces (HCS policy SD3).</p> <p>Policy KNDP 7 takes a positive approach to addressing flood risk by firstly promoting environmentally sensitive measures to reduce flooding, including promoting the use of sustainable drainage systems. The policy requires developers to address the issue where this is necessary (HCS policy SD3, point 3). It also indicates that proposals that would increase flood risk elsewhere will not be permitted (NPPF para 100, bullet 4).</p>
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	<ul style="list-style-type: none"> • 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. <p>(Policy SD3 – Extract) 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"> 1. development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the <i>Strategic Flood Risk Assessment (SFRA) 2009</i> 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 	<p>This policy addresses the flood risk sequential and exception tests by requiring detailed site specific flood risk assessments where the issue arises (NPPF para 100; HCS policy SD3, point 1). There is a requirement for such assessments to take into account the consequences of flood risk upon any site that might result from climate change (NPPF para 99; HCS policy SD3, point 2).</p> <p>Policy KNDP 7 requires sustainable drainage systems to be used to address surface water drainage problems where this is practicable and that this should include measures to support biodiversity (NPPF para 99; HCS policy SD3, point 5).</p> <p>This policy does not restrict other HCS provisions, in particular those in policy SD3, related to surface water and local water courses which is supported.</p> <p>None of these or other policies elsewhere in this NP are considered inconsistent with Government or HCS approach to mitigating the effects of or adapting to climate change.</p>
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	<p>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 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; <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 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>Facilitating the sustainable use of minerals</p> <p>Avoid needlessly sterilising specific mineral resources of local and national importance by allowing non-mineral development.</p>	<p>A Minerals and Waste Local Plan is to be prepared by Herefordshire Council and this will not be a matter for neighbourhood plans.</p> <p>There is one primary consideration that neighbourhood plans should consider, however, and this is expressed in Saved Herefordshire Unitary Plan Policy M5 relating to safeguarding mineral reserves:</p> <p>M5 Safeguarding mineral reserves</p>	<p>Mineral issues are not appropriate to a neighbourhood plan. However, no proposals are advanced in this plan that might affect any currently defined area where mineral reserves are to be safeguarded.</p>

	<p>Proposals which could sterilise potential future mineral workings will be resisted in order to safeguard identified mineral resources. Where such development is proposed, the applicant may be required:</p> <ol style="list-style-type: none">1. to undertake a geological assessment of the site; and/or2. to protect the minerals in question; and/or3. to extract all or part of the mineral reserves as part of or before the other development is permitted. <p>In such cases mineral extraction will only be required when the need for the other development significantly outweighs the harm which extraction might cause to other matters of acknowledged importance.</p>	
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Section 4 – Compliance with European Obligations

European Obligation	Kingsland Neighbourhood Development Plan Provisions
Strategic Environmental Assessment	<p>The SEA for Kingsland Neighbourhood Development Plan indicates that no significant effects will result and that it is in general conformity with both national planning policies contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). Nor does it propose any growth that would be over and above that prescribed by strategic Policies. Therefore, no changes to the NDP are recommended as a result of the SEA.</p> <p>The SEA for the submission draft Kingsland NDP (October 2015) indicates that</p> <ul style="list-style-type: none"> i) The majority of those NDP objectives which have a relationship with the SEA framework are positively compatible with it or have a neutral effect (SEA para 4.3); ii) Overall all of the options had mainly a positive effect on the SEA objectives and baseline, if the policies that are developed incorporated the elements of the options that are ensuring mitigation of new development and additional details are provided for the location and design of any proposed site then the assessment of the policies should result in a positive result. As these options were generally moving towards the SEA objectives any further alternatives would probably be moving away and therefore no further options are required to be assessed (SEA para 5.6); iii) Assessment of the cumulative effects of the Plan's policies highlighted that the policies contained in the Kingsland Plan are not over and above the Core Strategy, therefore the cumulative effect will not exceed that of the Core Strategy Policies which have also been subject to a full Sustainability Appraisal (SEA para 6.5), iv) The mitigation areas are mostly within design and conservation polices this may help balance out development as well as the policies to help protect and enhance the local character of the area and green infrastructure. These policies will also help conserve and enhance biodiversity within the parish. This should help to provide mitigation against the potential adverse impacts from new development (SEA para 6.6). <p>Following the re-submission of the Neighbourhood Development Plan a further assessment was carried out (July 2016) and this concluded that the conclusion set out in the Draft and Submission Environmental Reports remains valid. That is, the Kingsland NDP will not have any significant effects on the baselines and no further changes to the NDP are recommended as a result of this SEA.</p>
Habitats Directive	Screening of the Plan concludes that the Kingsland NDP will not have a likely significant effect on the River Wye SAC nor Downton Gorge SAC.

	<p>The Habitats Regulation Assessment of Kingsland NDP, (November 2014 and Addendum October 2015) indicated that it is unlikely that the Kingsland Neighbourhood Development Plan will have any in-combination effects with any Plans from neighbouring parish councils due to the level of growth proposed is of the same that is proposed for the Leominster Housing Market Area in the Herefordshire Core Strategy (HRA para 2.7).</p> <p>Following re-submission of the Neighbourhood Development Plan a further assessment was carried out (2nd Addendum, July 2016) as a consequence of amendments to four policies. This concluded:</p> <p><i>'The additional criteria added to 4 policies are not considered to affect the findings of the previous HRA report and strengthen the likelihood of there being no adverse impacts. Moreover, the Local Plan (Core Strategy) is now adopted and will provide further policy safeguards. Therefore, the earlier conclusion that the Kingsland NDP will not have a likely significant effect on the River Wye SAC nor Downton Gorge SAC remains valid.'</i></p>
Humans Rights	The policies within the Plan are considered to comply with the requirements of the EU obligations in relation to human rights.
Water Framework Directive	The Environment Agency has not indicated that any proposals within this plan would conflict with measures and provisions it is advocating to meet its obligations under this Directive as set out in the Severn River Basin Management Plan.