

Withington Group Parish
Neighbourhood Development Plan 2011-2031
Basic Conditions Statement
September 2018

Version 1.1 11th September 2018
Version 1.2 25th July 2019 (update following examination)

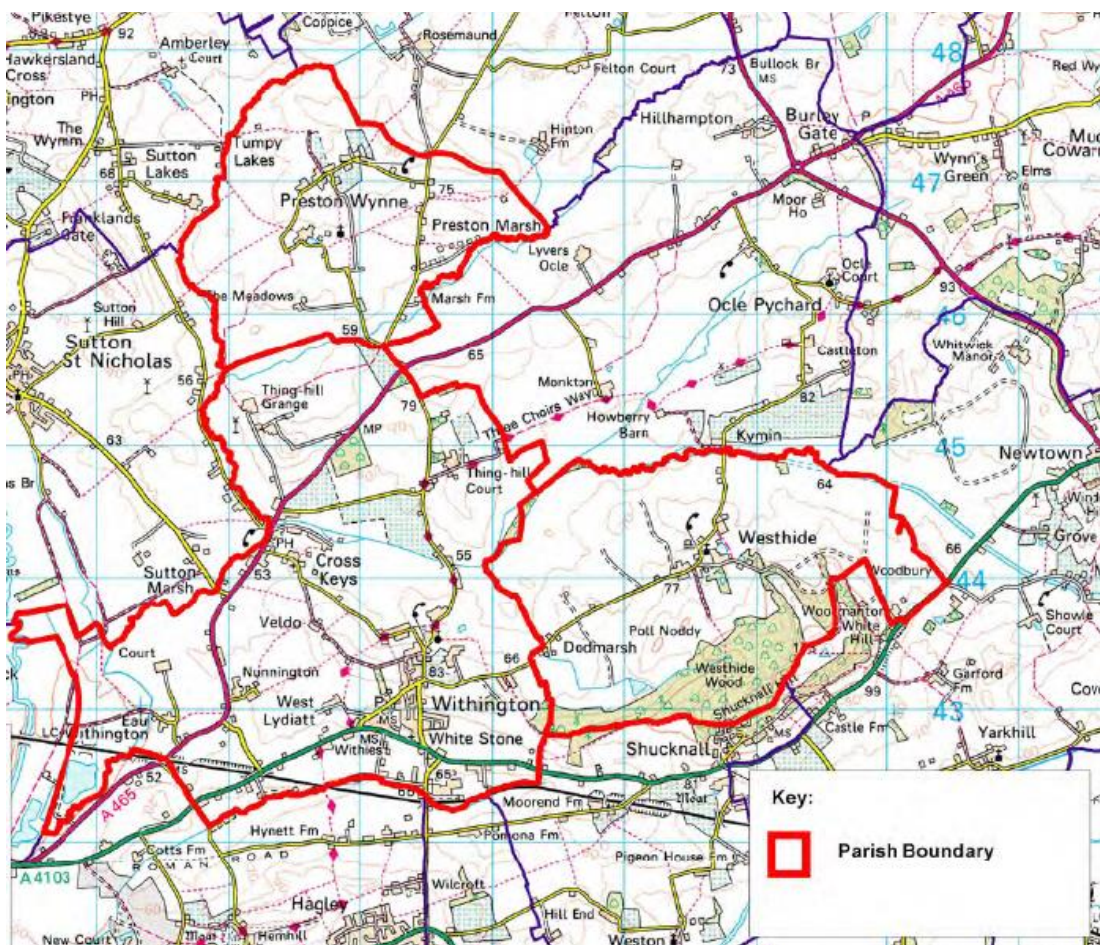
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1 Introduction

- 1.1 The Withington Group of Parishes comprise the separate parishes of Withington, Preston Wynne and Westhide, within which is the village of Withington, the largest settlement, and several smaller settlements including Westhide, Nunnington, Eau Withington and Withington Marsh. Withington itself is located some 5 kms (3 miles) east of the City of Hereford astride the A4013 Hereford to Worcester road.
- 1.2 The Parish Council has embarked on the preparation of a Neighbourhood Development Plan (NDP) and has reached the stage of a formal submission of the NDP. Under Regulation 15 (1) (d) of The Neighbourhood Planning (General) Regulations 2012 this Basic Conditions Statement is required to demonstrate how the emerging NDP complies with any legal requirements, the National Planning Policy Framework, Herefordshire Council's own planning policies and any relevant EU regulations and directives.

Withington Group Neighbourhood Development Plan Area



2 Compliance with legal requirements

- 2.1 Withington Group Parish Council is the recognised qualifying body to prepare and submit the Neighbourhood Development Plan (NDP) for the Parishes and with it this Basic Conditions Statement.
- 2.2 This NDP:
1. is a Neighbourhood Development Plan within the meaning of the Localism Act 2011
 2. relates to one NDP Area only and there are no other NDPs in place which overlap within the Withington Group NDP Area
 3. is to have effect for the period from 2011 to 2031
 4. includes no policies that relate to “excluded development” such as Nationally Significant Infrastructure Policies and “County” matters such as those relating directly to Minerals and Waste (which will be the subject of a separate Development Plan Document to be prepared by Herefordshire Council).
- 2.3 The Local Plan for Herefordshire is comprised of the Herefordshire Local Plan Core Strategy 2011 to 2031 (the “Core Strategy”) along with certain “Saved” policies from the former Unitary Development Plan (UDP) for the County. In due course other Development Plan Documents will be added in accordance with the Local Development Scheme which was re-published in August 2018 and included provision for:
- Core Strategy, partial review due to commence in 2019
 - Hereford Area Plan, due for adoption in 2020
 - Rural Areas Sites Allocation Plan, due for adoption in 2020
 - Bromyard Development Plan, due for adoption in 2020
 - Travellers’ Sites Development Plan, due for adoption late 2018
 - Minerals and Waste Local Plan, due for adoption in 2019, and
 - Community Infrastructure Levy Charging Schedule, not yet adopted
- 2.3 The overall local plan for the area including this NDP will comprise of the NDP itself plus all of the Development Plan Documents mentioned in the above paragraph – but that list may change from time to time as the Local Development Scheme is revised, typically on an annual basis.
- 2.4 There may also be Supplementary Planning Documents to emerge during the NDP plan period, however, at this stage, the legal obligation is to comply with the adopted Local Plan as it currently stands, i.e. the Core Strategy and any saved policies from the former UDP. Note that the Rural Areas Sites Allocation Plan (which is a very early stage of preparation) is intended to deal primarily with those parts of the County that do not, in due course, have adopted NDPs. Consequently it is not currently of direct significance for the Withington Group.
- 2.5 The National Planning Policy Framework was first published in 2012 and was re-published in July 2018. Assuming that the Withington Group NDP is submitted prior to 24th January 2019 then it will need to be assessed against the requirements of the 2012 version. If submission is delayed until after 24th January 2019 then this Basic Conditions Statement will need revising to take account of the updated National Planning Policy Framework.¹

¹ Revised National Planning Policy Framework July 2018 paragraph 214

Formal Statement

2.5 The Withington Group Parish Neighbourhood Development Plan:

1. is in conformity with national planning policies as set out in the National Planning Policy Framework (the “Framework”) and, in particular, will contribute to the achievement of Sustainable Development according to the principles set out in the Framework,
2. is in general conformity with the strategic policies set out in the Core Strategy and saved policies of the former UDP,
3. meets the relevant European Union obligations, in particular with regard to the environment and human rights.

3 Contributing to the achievement of Sustainable Development as expressed in the National Planning Policy Framework (the “Framework”)

- 3.1 The Withington Group NDP is in general conformity with the Framework which sets out the national planning policy of the government for England and sets the context for all other planning policy documents and for the determination of planning applications for development.
- 3.2 The Framework explicitly sets out what is meant by “Sustainable Development” in the English planning context and how this is intended to be achieved taking into account the three “dimensions” of economic, social and environmental planning.
- 3.3 The Framework goes on to set out 12 “Core Planning Principles” (Framework paragraph 17) against which the Wellington Heath NDP is assessed in the table below.

The twelve core planning principles of the Framework

| | Framework principle (taken from Framework paragraph 17) | Evidence of Compliance in the Withington Group Parish NDP | Relevant policy |
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| 1 | [plans should] be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency; ^[L] SEP | There has been substantial community involvement through the preparation of the NDP, in particular: Consultation with the community took place in the period from January to July 2014 with open days, public meetings and questionnaires. These informed an early draft of the Plan which was then subject to further public consultation in January 2018 with two Open Days on 26 th and 27 th January. The analysis of responses then further informed the Draft Plan which was the subject of a consultation in accordance with Regulation 14 in June and July 2018. | Whole plan, especially the Vision and Objectives |
| 2 | [plans should] not simply be about scrutiny, but | The NDP has responded directly to the views of the local | These principles have informed |

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| | <p>instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives; [L] [SEP]</p> | <p>community by identifying those facilities they value most, by extensive consultation over the sites likely to be brought forward for development, and by identifying important features such as key (but limited) Local Green Spaces to be protected from development. In this way the character of the three parishes has been maintained whilst meeting the housing land requirements of the Core Strategy in full for the benefit of present and future residents.</p> | <p>all 17 policies in the NDP</p> |
| 3 | <p>[plans should] proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities [L] [SEP]</p> | <p>The NDP provides the flexibility to provide homes, including homes of suitable sizes and types of accommodation, to meet the needs of the community in the plan period, fully taking into account the housing requirements of the Core Strategy and allowing for some flexibility.</p> <p>The NDP also allows for employment development whereby the essential landscape qualities of the area and, where relevant, residential amenities can be protected from undue pollution including light pollution and traffic as well as other potential forms of industrial pollution.</p> <p>The NDP also includes specific policies regarding telecommunications and broadband to encourage the kind of high quality service necessary for businesses to thrive and residents to have access to on-line services.</p> | <p>Housing: P1, P2, P3, P5</p> <p>Employment P12, P13</p> <p>Broadband and tele-communications: P10 and P11</p> |
| 4 | <p>[plans should] always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings [L] [SEP]</p> | <p>Considerable efforts have gone into the design policies which reflect local distinctiveness and seek to enhance the quality of development.</p> | <p>P4</p> |

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| 5 | <p>[plans should] take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it .</p> | <p>As a rural parish in a rural county “main urban areas” do not form part of the NDP. Likewise the option of formal Green Belt designation does not form part of the Core Strategy and hence is not available to be implemented in this NDP; however the Framework does include provision for “Local Green Spaces” (paragraphs 76 and 77) and the Local Green Spaces policy in the NDP applies these principles in an appropriate and proportionate manner, notably in the policies for the Settlement Boundaries and Green Spaces.</p> | P2, P3, P6 |
| 6 | <p>[plans should] support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy) ^{[[L]]}_{SEP}</p> | <p>The sound design principles being promoted in the NDP allow for the use of renewable energy techniques where appropriate, along appropriate waste storage facilities in new developments along with a specific policy on minimising flood risk.</p> | P15, P17 |
| 7 | <p>[plans should] contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework; ^{[[L]]}_{SEP}</p> <p>^{[[L]]}_{SEP}</p> | <p>The extensive investigation of suitable sites for development to meet the Core Strategy targets has included precisely this type of site-by-site assessment.</p> | P1, P2, P3 |
| 8 | <p>[plans should] encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value ^{[[L]]}_{SEP}</p> | <p>Brownfield sites are very limited in number in this NDP area but will be supported especially in the case of conversion of redundant buildings for either residential or commercial use as appropriate. The Settlement Boundaries include some brownfield sites where appropriate.</p> | P2, P3 |

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| 9 | [plans should] promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production) ^[L] _[SEP] | As rural parishes Withington, Westhide and Preston Wynne have limited scope for “Mixed use” developments other than live/work units. Ensuring that land is allocated appropriately is however, an essential principle, and the new Settlement Boundaries, after much research and consultation, are means of ensuring that a practical and suitable distribution of land uses is maintained. | P2, P3 |
| 10 | [plans should] conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations; ^[L] _[SEP] | Policy P8 addresses this issue directly, to put a local context to the national and Core Strategy policies which apply in any event. Also, of key local significance, is the potential of the route of the historic Herefordshire and Gloucestershire canal. This is addressed in policy P9 (and the Core Strategy) | P8, P9 |
| 11 | [plans should] actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable ^[L] _[SEP] | The desire for improved cycle accessibility is recognised in the plan and features in Policies P7 and P16. The two main site allocations are effectively part of the main body of Withington so that access to existing services can be maximised. The basic “sustainability” of all the development proposals has featured strongly in site selection. | P7, P16, P1 |
| 12 | [plans should] take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs ^[L] _[SEP] | The protection of existing community facilities is a specific feature of the plan, along with targeted proposals for the use of developer contributions through either Section 106 or Community Infrastructure Levy payments when available. | P16 |

3.4 In conclusion, from the table above, it can be seen that the NDP has been drawn up to respect and comply with the twelve principles for Sustainable Development as set out in the Framework at paragraph 17.

4 Compliance with the Framework and the Core Strategy

4.1 A “Place Shaping” Approach to Achieving Sustainable Development

| Framework provision | Core Strategy Policy and/or Requirement | Withington Group Parish NDP |
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| <p>Set out a positive vision for the future of the area (framework paragraph 17, bullet 1).</p> <p>Neighbourhood plans should develop a shared vision for their neighbourhood (Framework paragraphs 183 - 185).</p> <p>There should be a presumption in favour of sustainable development (Framework paragraphs 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>Strategy: SS1 Presumption in favour of sustainable development. Planning proposals should be approved wherever possible unless material considerations indicate otherwise.</p> | <p>The Vision for the NDP is set out in paragraph 3.1 of the Plan and is:</p> <ul style="list-style-type: none"> • The villages should evolve, but ensure that their integrity is kept and not developed into a suburb or a small town of urban sprawl. The parishioners have chosen to live in a rural village. • To take into consideration the existing needs of the community. To ensure the community facilities (transport, employment etc.) are developed and maintained in line with this. • Monitor and control traffic flows and infrastructure through the villages. <p>The NDP sets out a positive vision for the future of Withington Group Parishes with the presumption in favour of Sustainable Development at its core.</p> |

4.2 The Social Role In Achieving Sustainable Development

i.e. 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 wellbeing.

| Framework provision | Core Strategy Policy and/or Requirement | Withington Group Parish NDP |
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| <p>Delivering a wide choice of high quality homes.</p> <p>Illustrate housing delivery over the plan period showing of a 5-year supply of housing land.</p> | <p>Strategy: SS1: Presumption in favour of Sustainable Development.</p> <p>Strategy: SS2: Delivering New Homes</p> <p>RA1: Rural Housing Distribution.</p> | <p>The combination of permissions and allocations significantly exceeds the total housing requirement for the NDP area for the plan period 2011-2031 – as explained in Section 4 of the NDP.</p> <p>Between 1999 and 2011 windfall developments have</p> |

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| <p>(Framework paragraph 47, bullet 4).</p> <p>Set out an approach to housing density to reflect local circumstances. (Framework paragraph 47, bullet 5).</p> <p>Plan for a mix of housing based on demographic trends, market trends and needs of different groups (Framework paragraph 50, bullet 1).</p> | <p>Policy RA2: Housing in settlements outside Hereford and the Market towns. Minimum growth target for main villages in the Hereford Sub-Area is an increase of 18% based on number of existing dwellings in neighbourhood plan area.</p> <p>Policy SD1: Sustainable Design and Energy Efficiency: Development proposals should create safe, sustainable, well-integrated environments for all members of the community.</p> <p>Policies SD1, RA2, RA3, H3: Sustainable Design and Energy Efficiency RA2: Housing in settlements</p> | <p>averaged around 1 per year, and this trend has been taken into account.</p> <p>Background Paper No 1, which accompanies the NDP offers further explanation of the Options considered for managing this oversupply. The Option chosen has been generally accepted through consultations on the Draft Plan and at the earlier stages and is in general conformity with the Core Strategy</p> <p>Housing design is dealt with in detail in Policy P4 and P5, and takes into account changing housing needs and those design matters critical to the character of the NDP area – in order to create suitable development that meets the needs of new and existing residents as well as integrating well into the local character.</p> <p>Affordable Housing. The Core Strategy sets out a threshold development size below which Affordable Housing provision need not be made. Where Affordable housing can be provided Policy P5 addresses the issue of the appropriate form it should take.</p> <p>Windfall development is dealt with above.</p> <p>Housing density will be addressed through the application of Policy P4 which also addresses detailed design considerations appropriate to Withington Group.</p> <p>In addition to the Local Distinctiveness policy P4 the Settlement Boundary policies themselves, P2 and P3, will have the effect of directing new ad-hoc development into</p> |
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| <p>Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand (Framework paragraph 50, bullet 2).</p> <p>Set policies to meet identified affordable housing need on site, unless offsite provision can be robustly justified but ensuring mixed and balanced communities (Framework paragraph 50, bullet 3).</p> <p>Make allowance for windfalls in the 5-year supply where compelling evidence (framework paragraph 48).</p> <p>Bring back into use empty houses and buildings (Framework paragraph 51).</p> <p>Restrict inappropriate development of residential gardens where it will cause harm to local area (Framework paragraph 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 for local need (Framework paragraph 54).</p> | <p>outside Hereford and the Market towns.^[L]_[SEP]</p> <p>RA3: Herefordshire’s Countryside.^[L]_[SEP]</p> <p>H3: Ensuring an appropriate range and mixing of Housing</p> <p>Policy H1- Affordable Housing – Thresholds and Targets.</p> <p>Policies SD1, RA2 & RA3:^[L]_[SEP]</p> <p>RA3: Herefordshire’s Countryside.</p> <p>Policy RA5: Re-use of Rural Buildings.</p> <p>Policy RA3: Herefordshire’s Countryside</p> <p>Policy H2: Rural Exception sites.</p> <p>Policies RA3, RA4, RA5:^[L]_[SEP] RA4: Agricultural, forestry and rural enterprise dwellings.</p> | <p>suitable locations and, by implication, protect the Open Countryside outside the Settlement Boundaries from inappropriate development.</p> <p>Policy P5 addresses this point directly in the local context.</p> |
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| <p>Provision of Infrastructure</p> <p>Encourage transport solutions that support reductions in greenhouse gas emissions and reduce congestion (Framework paragraph 30).</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 (Framework paragraphs 32 and 36).</p> <p>Give priority to pedestrians and cycle movements (Framework paragraph 35 bullet 2).</p> <p>Create safe and secure layouts, minimising conflicts between users, avoiding clutter (Framework paragraph 35 bullet 3).</p> <p>Set local parking standards taking account of accessibility, type of development, availability of public transport, car ownership and need to reduce the use of high emission vehicles (Framework paragraph 39).</p> | <p>Strategy SS4: Movement and Transportation.</p> <p>Policy MT1: Traffic Management, highway safety and promoting active travel.</p> | <p>Transport and traffic issues are dealt with through Policy P7, Transport and Traffic, and P16, Social and Community facilities. The issues addressed include the need for better cycle routes and pedestrian routes in and through the Withington Group area. The potential of the canal is likewise not ignored – Policy P9.</p> |
| <p>Promoting Healthy Communities</p> <p>Promote mixed-use developments, strong neighbourhood centres and active street frontages (Framework paragraph 69, bullet 1).</p> <p>Promote safe and accessible</p> | <p>Policy H3: Ensuring an appropriate range and mixing of Housing</p> <p>Policy SC1: Social &</p> | <p>Policy P4, Local Distinctiveness applies Core Strategy H3 policy in the local context.</p> |

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| <p>environments to avoid fear of crime and promote cohesion (Framework paragraph 69, bullet 2). Promote safe and accessible developments with clear legible pedestrian routes, high quality public spaces to encourage active and continual use of public areas (Framework paragraph 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 (Framework paragraph 70, bullet 1).</p> <p>Guard against unnecessary loss of valued facilities and service, enabling them to develop and modernise in sustainable ways (Framework paragraph 70, bullets 2 and 3).</p> <p>Protect and provide opportunities for new open spaces, sport and recreational facilities and land, based on robust and up-to-date assessments (Framework paragraphs 73 and 74). Protect and enhance public rights of way and access (Framework paragraph 76). Identify and provide special protection for green areas by designating Local Green Space (Framework paragraphs 77 and 78).</p> | <p>Community Facilities</p> <p>Policy SC1: Social & Community Facilities</p> <p>Policy OS2: Meeting Open Space, Sport and Recreation Needs.</p> | <p>Policy P16 Social and Community Facilities is the direct application of Core Strategy Policy SC1 for Withington Group.</p> <p>Local Green Spaces are defined by Policy P6 which has taken a very selective approach to defining only the most important Green Spaces and not tried to blanket large areas (that are generally protected by Open Countryside policies anyway).</p> <p>Policy P16 Social and Community Facilities is the direct application of Core Strategy Policy SC1 for Withington Group.</p> <p>The list of Local Green Spaces defined in policy P6 includes the only formal recreation area in the NDP, i.e. the Withington playing field.</p> |
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4.3 The Economic Role In Achieving Sustainable Development

i.e. 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.

| Framework provision | Core Strategy Policy and/or Requirement | Withington Group NDP |
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| <p>Building a Strong Economy</p> <p>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 an economy fit for 21st century (Framework paragraphs 18-21).</p> <p>Support existing business sectors (including expansion or contraction) planning for new or emerging sectors (Framework paragraph 21, bullet 3).</p> <p>Facilitate flexible working practices such as live/work units (Framework paragraph 21, bullet 6).</p> | <p>Strategy SS 5 Employment Provision</p> <p>Policy E1 Employment Provision</p> <p>Policy E3 Homeworking</p> | <p>Employment is addressed in Policy P12. The most significant element is the established Withington Business Park which it is seen as important to retain. There is also a small employment area at Westhide which is also recognised by the policy but should be restricted to use class B1 uses due to environmental constraints. The Core Strategy makes no requirement for additional employment land allocations in the Withington NDP area.</p> <p>It is anticipated that future Employment Development will be small scale and that Homeworking in accordance with Core Strategy Policy E3 will have a role to play, as referenced in Policy P12.</p> |
| <p>Supporting a Prosperous Rural Economy</p> <p>Promote diversification and development of agriculture and other land based rural businesses (Framework paragraph 28, bullet 2).</p> <p>Promote provision and expansion of sustainable rural tourism, visitor facilities and leisure developments that respect the countryside (Framework paragraph 28, bullet 3).</p> | <p>Policy RA6 Rural Economy</p> <p>Policy E4 Tourism</p> | <p>Policy P13 addresses the issues of both agriculture and tourism. in the context of the NDP.</p> <p>Polytunnels, a local issue, are also addressed in policy P14.</p> |

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| <p>Promote the retention and development of local services and community facilities in villages (Framework paragraph 28, bullet 4).</p> | <p>Policy SC1 Social and Community Facilities</p> | <p>The importance of local services is addressed in policy P16.</p> |
| <p>Supporting High Quality Communications Infrastructure</p> <p>Support the expansion of electronic communications network, including broadband but keeping the number of masts to a minimum, using existing buildings and structures, with new sites sympathetically designed (Framework paragraph 43).</p> | <p>Policy SC1 Social and Community Facilities</p> | <p>Communications technology is especially important to rural area such as Withington and the NDP area generally. Policy P11 acknowledges the need for mobile phone masts and, Policy P10 seeks to encourage high quality Broadband for residents and businesses alike.</p> |

4.4 The Environmental Role In Achieving Sustainable Development

i.e. 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.

| Framework provision | Core Strategy Policy and/or Requirement | Withington Group NDP |
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| <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 defined characteristics (Framework paragraph 57).</p> <p>Establish a strong sense of place, using streetscape and buildings to create attractive and comfortable places to live, work and visit (Framework paragraph 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 transport networks</p> | <p>Strategy SS 6 Environmental Quality and Local Distinctiveness</p> <p>Policy SD1 Sustainable Design and Energy Efficiency</p> <p>Policy LD1 Landscape and Tourism</p> | <p>Policy P4 is especially important in this context. The intention is for each of the separate communities in the Withington Group to retain their individual characters through design features, layout and choice of external materials.</p> <p>The key Local Green Spaces are protected through Policy P6 and policy P13 allows for appropriate tourism related development.</p> <p>A significant landscape feature through Westhide and Withington is the historic</p> |

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| <p>(Framework paragraph 58, bullet 3). Reflect the identity of local surroundings and materials contributing to local distinctiveness but without discouraging innovation and originality (Framework paragraph 58, bullet 4). Create safe and accessible environments, maintaining community cohesion (Framework paragraph 58, bullet 5). Be visually attractive with good architecture and appropriate landscaping (Framework paragraph 58, bullet 6).</p> | | <p>line and remaining structures of the Herefordshire and Gloucestershire Canal. In this context Policy P9 is important in protecting the potential of the canal for restoration of its key features where the opportunity arises.</p> |
| <p>Conserving and enhancing the natural environment. Landscape</p> <p>Take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside (Framework paragraph 17, bullet 5).</p> <p>Protect and enhance valued landscapes, geological conservation interests and soils (Framework paragraph 109, bullet 1)</p> <p>Set criteria based policies against which proposals for any development landscape areas will be judged (Framework paragraph 113).</p> | <p>Strategy SS 6 Environmental Quality and Local Distinctiveness</p> | <p>Withington is neither in or near any of the County's AONBs and, in landscape terms, the NDP area comprises mostly of "Principal Settled Farmlands" (Herefordshire Landscape Character Assessment 2004) with an area around Westhide categorised "Sandstone Estate Lands" and a small corridor of "Riverside Meadows" alongside the Little Lugg watercourse. The policies of the NDP respect these landscape characters principally by the use of Settlement Boundaries to restrict most new development into the already largely developed areas, and relying on open countryside policies to protect the character of the countryside elsewhere.</p> |
| <p>Efficient use of land Encourage the effect use of</p> | <p>Policy LD1 Landscape and</p> | <p>There is very little Previously</p> |

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| <p>land – reuse previously developed land where not of high environmental value (Framework paragraph 11).</p> | <p>Townscape</p> <p>Policy SD1 Sustainable Design and Energy Efficiency</p> | <p>Developed Land available for development in the NDP area but some does exist , mostly within the settlement boundaries.</p> |
| <p>Biodiversity</p> <p>Set criteria based policies against which proposals for any development affecting protected geodiversity sites and wildlife sites will be judged (Framework paragraph 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 (Framework paragraph 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 (Framework paragraph 114, bullet 1).</p> <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 (Framework paragraph 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 (Framework</p> | <p>Policy LD2 Biodiversity and Geodiversity</p> <p>Policy LD2 Biodiversity and Geodiversity</p> <p>Policy LD3 Green Infrastructure</p> | <p>There are no designated wildlife sites within the NDP area, although all development policies do have to recognise that the whole area is within the catchment of the River Wye SAC. The SEA and HRA screening have not identified any needs for Appropriate Assessment of any NDP proposals due to their limited nature over and above commitments already made through the Core Strategy, planning permissions and previous allocations.</p> <p>This has been done as part of the SEA and HRA which accompany this Basic Conditions Statement.</p> <p>Policy P6 identifies the key Local Green Spaces which perform a variety of roles including recreational value as well as amenity value – and thereby provide “stepping stones” of green spaces within the built up area of Withington.</p> <p>The SEA and HRA reports have demonstrated that the scale and location of development proposed in this NDP will not have any significant deleterious effects on priority habitats and other key ecological assets</p> <p>Likewise no geological</p> |

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| <p>paragraph 117, bullet 3). Prevent harm to geological conservation interests. (Framework paragraph 117, bullet 4)</p> <p>The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Habitats Directive is being considered, planned or determined (Framework paragraph 119).</p> <p>Control of Pollution and Land Stability</p> <p>Avoid noise giving rise to significant adverse impacts on health and quality of life (Framework paragraph 123, bullet 1)</p> <p>Limit impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation through good design. (Framework paragraph 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 (Framework paragraph 126).</p> <p>Take account of the desirability of sustaining and enhancing the significance of heritage assets (Framework paragraph 126, bullet 1)</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 (Framework paragraph 131).</p> | | <p>conservation interests are adversely affected by the NDP proposals.</p> <p>Following the consultation on the draft plan (Regulation 14) minor amendment was made to Policy P4 to add a provision (criterion h) regarding the potential impact of existing agricultural and commercial activity on residential amenity of new dwellings.</p> <p>Light pollution is addressed in criterion g) of Policy P4</p> <p>There is no need for an NDP to replicate national and Core Strategy policies (and legislation) protecting heritage assets, however, policy P8 was considered necessary to put these into the local context, and Policy P9 is also important with regard to the historic line of the Herefordshire and Gloucestershire Canal.</p> |
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| <p>Less than substantial harm should be weighed against public benefit (Framework paragraph 134)</p> <p>The effect of development on the significance of locally important assets should be balanced against the scale of the harm (Framework paragraph 135).</p> <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 (Framework paragraph 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.(Framework paragraph 139)</p> <p>Meeting the challenge of climate change, flooding and coastal change</p> <p>Plan in locations and ways to reduce greenhouse gas emissions (Framework paragraph 95, bullet 1).</p> <p>Actively support energy efficiency improvements to existing buildings (Framework paragraph 95, bullet 2).</p> <p>Positively promote and maximise energy from renewable and low carbon sources while ensuring adverse effects are addressed satisfactorily, including cumulative effects (Framework paragraph 97, bullets 1 & 2).</p> <p>Identify opportunities for renewable energy and low carbon sources and/or supporting infrastructure (Framework paragraph 97, bullet 3).</p> | | <p>Climate Change and low carbon energy designs are important to the community of the Withington Group of parishes. Flooding has been a particular issue for Withington Marsh and Policy P17 addresses this point directly.</p> <p>Energy Conservation and Climate Change concerns led directly to policy P15 concerning Renewable Energy Schemes.</p> |
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| <p>Support community-led initiatives for renewable and low carbon energy (Framework paragraph 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 (Framework paragraph 97, bullet 5).</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. Take account of climate change on water supply and changes to biodiversity and landscape, or manage risk through suitable adaptation measures (Framework paragraph 99).</p> | | <p>There are no sites identified in the NDP area as suitable for wind energy development.</p> |
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5 Compliance with EU Regulations

- 5.1 The Withington Group Neighbourhood Development Plan is compatible with European Union obligations, including Human Rights, which have been transposed into domestic legislation, thereby ensuring its legal compliance with:

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive);

Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora;

Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively).

| European Obligations | Withington Group NDP The Withington Group Environmental Report (for SEA purposes) was published in May 2018. |
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| Directive 2001/42/EC or Strategic Environmental Assessment (SEA) | <p>It is considered that the Withington Group NDP is in general conformity with both national planning policies contained in the National Planning Policy Framework (the “Framework”) and strategic policies set within the Herefordshire Local Plan Core Strategy (the “Core Strategy”). It does not propose any growth that would be over and above that prescribed by strategic policies. Therefore no significant changes to the NDP are recommended as a result of the SEA.</p> <p>The SEA indicates that the cumulative impact of the NDP policies over the course of the plan period is generally positive and/or neutral in relation to SEA objectives. Although some policies may have a neutral or uncertain impact during the first 5 years of the plan period, there is no reason why they cannot have a positive effect in the medium to long-term due to policy safeguards included elsewhere in both the NDP and the Core Strategy; these safeguards should avoid or mitigate against unacceptable adverse impacts.</p> <p>It is noted that, once made (adopted) by Herefordshire Council, the effects of the policies within the Withington Group NDP will be monitored annually via the Council’s Annual Monitoring Report (AMR).</p> <p>Paragraph 6.8 of the report states that “the objectives and policies contained in the Withington Group NDP are by and large in general conformity with the Local Plan (Core Strategy), which means that the cumulative effect of the plan will contribute to the achievement of the SEA objectives”^[1]_{SEP}.</p> <p>Paragraph 6.9 further concludes that: “None of the NDP policies are considered to be in direct conflict with or propose greater levels of growth and development than strategic policies contained in the Local Plan Core Strategy, which themselves have undergone a full Sustainability Appraisal”.</p> |

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| <p>Directive 92/43/EEC Directive 2009/147/EC Habitats Regulations Assessments</p> | <p>The Withington Group HRA Screening Report was published in May 2018.</p> <p>The Screening Report confirmed there are no European category of wildlife sites (“SACs”) within the NDP area although the NDP area is within the catchment of the River Wye SAC. The Report concluded at section 8 that:</p> <p>“None of the Draft Withington Group NDP policies would be likely to have a significant effect on the River Wye SAC.”</p> <p>The report also considers further the potential cumulative impact of the NDP policies along with those of adjoining NDP areas and other areas within the Housing Market Area in the Herefordshire Core Strategy, and likewise concluded that there would be “no likely significant effect”.</p> |
| <p>Directive 2000/60/EC Water Framework Directive</p> | <p>Withington is within the River Wye hydrological catchment area which has SAC status. However, in light of the proposed policies to manage development in the NDP none of the NDP objectives and policies were concluded to be likely to have any significant effect on Water Framework Directive interests.</p> |
| <p>Human Rights</p> | <p>The policies within this NDP are considered to comply with the EU Obligations in relation to Human Rights. The plan is not detrimental to Human Rights but seeks to enhance the Human Rights of current and future residents within the Withington Group parishes.</p> |