

## **Ashperton Neighbourhood Development Plan 2018 – 2031**

### **Submission Draft**

### **Basic Conditions Statement**

The Neighbourhood Planning process stipulates that any Neighbourhood Plan submitted as a part of Regulation 15 should have an accompanying Basic Conditions Statement to show conformity with Legal and Conditional requirements.

This document demonstrates how the Submission Ashperton Neighbourhood Development Plan meets in full all relevant conditions.

### Legal Requirements

1. The Submission Plan is being submitted by a qualifying body.
2. What is being proposed is a neighbourhood development plan.
3. The proposed Neighbourhood Plan states the period for which it is to have effect.
4. The policies do not relate to excluded development
5. The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

1. This Submission Plan is being submitted by a qualifying body, specifically Ashperton Parish Council.
2. The plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.
3. The Submission Neighbourhood Development Plan states the period for which it is to have effect. That period is from the Plan being made (2018) up to 2031 (the same end date as the Herefordshire Core Strategy Local Plan).
4. The Submission Neighbourhood Development Plan does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.
5. The Submission Neighbourhood Development Plan relates to the Ashperton Neighbourhood Area as defined and within the Parish of Ashperton, and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

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Each of these conditions is dealt with in turn on the following pages.

1. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Development Plan.

In July 2018 the Government published the revised National Planning Policy Framework (NPPF 2018). Annex 1: Implementation states:-

212 The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this replacement Framework has made. This should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.

213 The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. Plans may also need to be revised to reflect policy changes which this replacement Framework has made. This should be progressed as quickly as possible, either through a partial revision or by preparing a new plan.

214 The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019. Where such plans are withdrawn or otherwise do not proceed to become part of the development plan, the policies contained in this Framework will apply to any subsequent plan produced for the area concerned.

The Ashperton Neighbourhood Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework as published in 2012 (NPPF 2012). However the plan has been reviewed against the revised Framework (2018) and, as appropriate, this statement also refers to the relevant provisions of the NPPF 2018, where these differ in substance, to demonstrate the degree of consistency with those provisions.

Paragraphs 183-185 of the NPPF (2012) outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Neighbourhood Plan has been drafted with regard to the planning policies of Herefordshire Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Ashperton Neighbourhood Plan does not undermine the strategic policies of Herefordshire Council; the Plan aims to support these policies by protecting local built and natural heritage assets from insensitive new development and supporting small scale housing development to meet local needs. The Ashperton Neighbourhood Plan in its current form can deliver approximately 24 new houses to the village (dependent on individual scheme design) including the 10 with outline planning permission, (or 14 without), across a range of sites, this represents a 24% (14%) increase in housing to the Parish that currently contains 102 households (only 74 of which are within the main settlements of Ashperton and Woodend). Proposed figures in the emerging core strategy evidence-base suggest a requirement for a 14% increase within the Ledbury HMA, so this is catered for.

**NPPF (2012) Core Planning Principles and the Ashperton Neighbourhood Development Plan**

	Core Principle	Ashperton Neighbourhood Plan
(i)	<p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>The Ashperton Neighbourhood Plan Committee has produced the Submission Plan in line with this guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals through informal and formal consultation, the Plan will empower local people to shape their surroundings.</p> <p>The emerging vision, objectives, policies and proposals in the Plan have been developed with a thorough approach to community engagement as evidenced by the consultation statement provided. The Plan sets out a positive vision for the area up to 2031 and sets out a concise and practical suite of policies to guide development control decisions.</p>
(ii)	<p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The Submission Ashperton Neighbourhood Plan offers the local community the opportunity to shape the future development of Ashperton Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which protect the rural landscape setting, at the same time supporting local business and tourist development with the support of small scale enterprise within the Parish.</p>

(iii)	<p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond 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.</p>	<p>This Submission Neighbourhood Plan refines and amplifies Herefordshire-wide policies and proposals set out in Herefordshire’s Local Plan Core Strategy policies. The Submission Neighbourhood Plan supports appropriate business and economic growth in the village in Policies SB1 and SB2 The Plan promotes improvements to accessibility through new and existing networks for walking and cycling and improving local traffic management in Policy ST1.</p>
(iv)	<p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;</p>	<p>The Submission Neighbourhood Plan sets out policies to protect and enhance local character and encourage high quality design in new development, ensuring that local character and amenity is protected.</p>
(v)	<p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts</p>	<p>The Submission Neighbourhood Plan takes thorough regard of this guidance. The Plan recognises the distinctive rural character of this Parish and the area’s existing and potential role as an accessible recreational area, providing</p>

	around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.	opportunities for walking, cycling and quiet enjoyment of the countryside whilst supporting appropriate local growth, thus ensuring that the local community continues to thrive.
(vi)	Planning 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).	The Submission Plan requires all new development, where practicable, to provide on-site electricity generation and solar or ground source heating (Policy RE1). Proposals for large scale renewable schemes would be supported subject to satisfactory environmental effects (Policy RE2).
(vii)	Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;	The Submission Neighbourhood Plan is fully consistent with this principle. The Plan provides a policy framework for the protection and enhancement of this highly sensitive rural landscape in Policy and as detailed above, favours the re-use of brownfield sites, plus through Policy 6A seeks to protect the natural environment outside the village from any development.
(viii)	Planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high	The Submission Plan encourages the re-use and sensitive conversion of former agricultural buildings for business associated uses in Policy SB3.  There is little, if any, brownfield land in Ashperton parish

	environmental value.	other than garden land. [Garden land outside built up areas is 'previously developed land'.]
(ix)	Planning should promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production).	The Submission Plan aims to protect the open land surrounding the village from inappropriate and insensitive development, to ensure that the area continues to provide a high quality environment for the benefit of residents and visitors, whilst encouraging farm diversification a mixed residential and business (live/work) units where appropriate.
(x)	Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.	The Submission Neighbourhood Plan is fully in line with this principle and the policies relating to the Heritage Assets in the village. Ashperton has a range of listed properties, heritage assets and scheduled ancient monuments all of which are appropriately protected by policies of the Plan.
(xi)	Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.	The Submission Neighbourhood Plan seeks to manage patterns of growth within the village in a sustainable manner by defining a new settlement boundary and by capping the number of dwellings allowed in any one development application (Policy 1A). This will promote a sustainable growth pattern of gradual increase in housing volume in locations near to the core of the village, which would be more sustainable, without creating a direct limit on housing. The Submission Neighbourhood Plan seeks to promote the

		use of sustainable forms of transport through Policy 5B, promoting walking and cycling
(xii)	Planning 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.	Policy H4 seeks to ensure that future housing is of a size and type that will assist in maintain an appropriate social balance whilst Policy H5 seeks to allow affordable housing outside the settlement boundary provided there is reasonable access to the services and facilities within Ashperton. Policy D1e ensures that new development does not impact on existing residents in a manner detrimental to their health and wellbeing. Policy D3e seeks to incorporate new homes into the community, supporting a more pedestrian and cycle friendly environment. Policy ST1d seeks to provide new and improved footpaths to create safe pedestrian and cycle routes to key locations within the Parish. Policy E2 seeks to preserve the general peace and tranquillity within the Parish to the overall benefit to health, social and cultural wellbeing. Policies E1 and D1 in the plan seek to safeguard open countryside and rural landscape setting and promote walking and cycling.

**Other applicable provisions of the NPPF 2012**

Paragraph	NPPF	Ashperton Submission Plan
16	<p>The application of the presumption [<i>in favour of sustainable development</i>] will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:</p> <ul style="list-style-type: none"> <li>• develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;</li> <li>• plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and</li> <li>• identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.</li> </ul>	<p>The Submission Neighbourhood Plan supports the strategic housing requirements as set out in the Core Strategy by identifying land for a minimum of 14 new dwellings, in addition to the site to the north of the Village Hall with outline planning permission for 10 dwellings, over the Core Strategy period to 2031.</p> <p>Policies SB1, SB2 and SB3 plan positively to support local business development appropriate to a rural community.</p> <p>Given the scale and character of the Parish it is unlikely that Neighbourhood Development Orders would be appropriate.</p>

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28	To promote a strong rural economy, local and neighbourhood plans should support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings	As above. Policies support sustainable growth and expansion of appropriate rural businesses, live/work units and working from home.
28	To promote a strong rural economy, local and neighbourhood plans should promote the development and diversification of agricultural and other land-based rural businesses.	Policy SB1 states that development proposals which sustain or increase local business activity will be supported. Policy SB3 supports the change of use of existing buildings, encouraging employment or service/trade use.
28	To promote a strong rural economy, local and neighbourhood plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.	See above re. Policy SB1. The accompanying text makes clear that the policy applies to tourism and leisure development, recognising, in particular, the long term potential offered by the restoration of the Herefordshire and Gloucestershire Canal.
28	To promote a strong rural economy, local and neighbourhood plans should promote	Community facilities within Ashperton are limited to the Primary Academy, which serves

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	<p>the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.</p>	<p>the wider community, the Village Hall and the Parish Church.</p>
29-30	<p>Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so,</p>	<p>Transport infrastructure in Ashperton and the wider area is limited. In as much as possible the Submission Plan supports the introduction of additional and improved facilities for the use of transport other than the private car.</p>

	<p>facilitates the use of sustainable modes of transport.</p>	
<p>42-43</p>	<p>Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.</p> <p>In preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. They should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.</p>	<p>Policy SB4 supports the provision of improved broadband and mobile telephone services.</p>

55	<p>To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.</p> <p>For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:</p> <ul style="list-style-type: none"><li>• the essential need for a rural worker to live permanently at or near their place of work in the countryside; or</li><li>• where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or</li><li>• where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or</li><li>• the exceptional quality or innovative nature of the design of the dwelling.</li></ul>	<p>Housing policies within the plan will ensure that new development has access, other than by private car, to the limited local services within the village.</p>
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<p>56 58 61 64</p>	<p>The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.</p> <p>Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.</p> <p>Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment. Permission should be refused for development of poor design</p>	<p>Policies D1 and D2 set objectives to ensure that development is of a quality and design appropriate to the defining characteristics of Ashperton, in particular that produced by the gradual and piecemeal development of individual dwellings or very small groups of houses.</p>
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	<p>that fails to take the opportunities available for improving the character and quality of an area and the way it functions</p>	
<p>69</p>	<p><b>Promoting healthy communities:</b> The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:</p> <ul style="list-style-type: none"> <li>● opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the</li> </ul>	<p>The housing and design policies of the plan seek to ensure that all new residential development is integrated into the core of the village, including the Village Hall, the Primary Academy and the Parish Church, in a fully accessible manner.</p>

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	<p>vicinity;</p> <ul style="list-style-type: none"> <li>● safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and</li> <li>● safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.</li> </ul>	
93	<p>Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.</p>	<p>Policies in the plan encourage, as far as possible, the use of transport other than the private car and the introduction of renewable energy schemes, either as part of development proposals or stand-alone schemes appropriate to the setting of the parish.</p>
99	<p>Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability</p>	<p>Policy E5 states that development in areas of river flooding will not be supported and that plans for new developments must include a 'Flood Risk Assessment' to clearly demonstrate the provision of adequate drainage solutions that do not create or exacerbate flooding and</p>

	<p>to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.</p>	<p>avoid pollution of the environment.</p>
109	<p>The planning system should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>• protecting and enhancing valued landscapes, geological conservation interests and soils;</li> <li>• recognising the wider benefits of ecosystem services;</li> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</li> <li>• preventing both new and existing development from contributing to or</li> </ul>	<p>Policy E4 states that development will only be supported where it has a nil or positive effect on the Parish’s habitats and species; all planning applications for new dwellings and for non-residential development should be supported, before determination, by a Preliminary Ecological Appraisal in accordance with CIEEM guidelines; and any unavoidable damage will require mitigation measures within the Parish.</p>

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	<p>being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and</p> <ul style="list-style-type: none"> <li>• remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.</li> </ul>	
110	<p>In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.</p>	<p>Policies throughout the plan seek to minimise pollution and adverse effects. Land identified within the plan for residential development is of the least environmental or amenity value compared with other land within or adjacent to the settlement boundary.</p>
117	<p>To minimise impacts on biodiversity and geodiversity, planning policies should: promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring</p>	<p>See 109 above.</p>

	biodiversity in the plan.	
125	By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.	Policy E2 states that proposed new private outside lighting will be subject to rigorous scrutiny to ensure it is sensitive, neighbourly and protects our dark night skies. Street lighting is not supported.
126	Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account: <ul style="list-style-type: none"> <li>• the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</li> <li>• the wider social, cultural, economic and environmental benefits that conservation of the historic environment</li> </ul>	Policy E3: Cultural Heritage states development should be sure to protect and enhance our cultural heritage; building should not take place on archaeological features except in exceptional circumstances and should be sensitive to their settings; and development should include a watching brief by the county archaeology service.

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	<p>can bring;</p> <ul style="list-style-type: none"> <li>• the desirability of new development making a positive contribution to local character and distinctiveness; and</li> <li>• opportunities to draw on the contribution made by the historic environment to the character of a place.</li> </ul>	
139	<p>Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.</p>	<p>See 126 above.</p>

**Provisions of NPPF (2018) where these differ from or add to those of NPPF (2012)**

For the most part changes made in the NPPF (2018) do not affect the Neighbourhood Development Plan or its implementation. Only those changes considered to be significant are included in the table below.

Para.	Text	Comment
14	<p>In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:</p> <ul style="list-style-type: none"> <li>a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;</li> <li>b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;</li> <li>c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and the</li> </ul>	<p>The Neighbourhood Plan contains policies and allocations to meet its identified housing requirement.</p>

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	<p>local planning authority’s housing delivery was at least 45% of that required over the previous three years.</p>	
125	<p>Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. <u>Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics.</u> Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.</p>	<p>The wording differs in emphasis from that in paragraph 58 of NPPF (2012). The relevant design policies in the Ashperton Neighbourhood Development Plan have been developed in consultation with the local community and are grounded in an understanding and evaluation of the area’s defining characteristics and special qualities. This applies particularly to Policy D2.</p>
130	<p>Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, <u>taking into account any local design standards or style guides in plans or supplementary planning documents.</u> Conversely, where the design of a development accords with clear expectations</p>	<p>The underlined wording has been added to that in paragraph 64 of NPPF (2012).</p>

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	<p>in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).</p>	
<p>131</p>	<p>In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, <u>so long as they fit in with the overall form and layout of their surroundings.</u></p>	<p>Underlined wording added to that in paragraph 63 of NPPF (2012). The Ashperton Neighbourhood Development Plan defines the overall form and layout of Ashperton Village.</p>

2 The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development.

The Neighbourhood Plan contributes to the achievement of sustainable development, as set out in the National Planning Policy Framework, supporting the strategic housing requirements as set out in the Core Strategy by identifying land for a minimum of 14 new dwellings, in addition to the site to the north of the Village Hall with outline planning permission for 10 dwellings, over the Core Strategy period to 2031. Policies SB1, SB2 and SB3 plan positively to support local business development appropriate to a rural community.

3 The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

No.	Policy	Conformity Statement
H1	A minimum of 14 dwellings in the Parish should be delivered in the Herefordshire Core Strategy period to March 2031. The majority of development would be expected to be within or adjacent to the Ashperton Settlement Boundary.	Policy H1 is in complete conformity with Herefordshire Core Strategy Policies RA1 & RA2 which use housing targets for rural housing as the basis for the production of Neighbourhood Plans. As of 2011, the start date for the purposes of Policy RA1, there were 102 dwellings in the Parish. A minimum growth of 14% represents a minimum of 14 dwellings over the period.
H2	A Settlement Boundary should be established as per the plan below for the Plan period to 31st March 2031.	The provision of a settlement boundary is in line with Herefordshire Core Strategy Policy RA2 supporting text paragraph 4.8.23.
H3	Notwithstanding Policy D2, any proposals for development on sites of more than 10 dwellings should take into account local housing needs and should normally provide a tenure mix of up to 40% of Affordable Homes.	Core Strategy Policy H1 sets a target of 40% affordable housing in developments of more than 10 dwellings in the Ledbury, Ross and Rural Hinterland. Whilst proposals for more than 10 dwellings would not be supported by other policies in the Submission Neighbourhood Development Plan, it is appropriate to include this policy.

<p>H4</p>	<p>Proposals for the following types of dwelling will be approved where they comply with other policies in the NDP</p> <ul style="list-style-type: none"> <li>a) Family homes (three bedrooms or more) ;</li> <li>b) Starter homes (two bedrooms);</li> <li>c) Live/Work Units.</li> </ul>	<p>Herefordshire Core Strategy Policy RA2 criterion 4 states that housing proposals will be permitted where the following criterion is met:</p> <p>4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.</p> <p>The Submission Neighbourhood Development Plan explains that local demand is for this type of dwelling</p>
<p>H5</p>	<p>Policy H5:Rural Exception Sites</p> <p>Proposals for affordable housing schemes outside the settlement boundary may be permitted on land which would not normally be released for housing where:</p> <ul style="list-style-type: none"> <li>1. the proposal could assist in meeting a proven local need for affordable housing; and</li> <li>2. the affordable housing provided is made available to, and retained in perpetuity for local people in need of affordable housing; and</li> <li>3. the site respects the characteristics of its surroundings, demonstrates good design and</li> </ul>	<p>Policy H2 - Rural exception sites</p> <p>Proposals for affordable housing schemes in rural areas may be permitted on land which would not normally be released for housing where:</p> <ul style="list-style-type: none"> <li>1. the proposal could assist in meeting a proven local need for affordable housing; and</li> <li>2. the affordable housing provided is made available to, and retained in perpetuity for local people in need of affordable housing; and</li> <li>3. the site respects the characteristics of its surroundings, demonstrates good design and offers reasonable access to a range of services and facilities</li> </ul>

	<p>offers reasonable access to the range of services and facilities within Ashperton.</p> <p>In order to enable the delivery of affordable housing some market housing may be permitted as part of the development to subsidise a significant proportion of affordable housing provision. However, evidence will be required – by way of a financial appraisal, in order to demonstrate that the proposed scale of market housing is that required for the successful delivery of affordable housing.</p>	<p>normally in a settlement identified in Policy RA2.</p> <p>In order to enable the delivery of affordable housing some market housing may be permitted as part of the development to subsidise a significant proportion of affordable housing provision. However, evidence will be required – by way of a financial appraisal, in order to demonstrate that the proposed scale of market housing is that required for the successful delivery of affordable housing.</p>
<p>D1</p>	<p>Proposals for all forms of new residential development should be of a design that reflects and respects local character and the distinctive rural character of Ashperton.</p> <p>Development proposals shall contain specific design measures that will:</p> <p>a) Be sympathetic to and respect the existing character and appearance of the village using an appropriate mixture of materials and architectural styles incorporating locally distinctive features, for example local sandstone and/or timber framing and typical red</p>	<p>Core Strategy Policy RA2 explains that Housing proposals will be permitted where the following criteria (1 &amp; 3) are met:</p> <p>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.</p> <p>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;</p> <p>The particular characteristics of Ashperton and the</p>

	<p>brickwork;</p> <p>b) Ensure that affordable housing is visually indistinguishable in character and appearance from market housing;</p> <p>c) Respect the scale, density, bulk and grain of existing development;</p> <p>d) Relate to existing properties in respect of height being no more than 2 storeys high unless specific conditions justify designs of up to 3 full storeys;</p> <p>e) Does not detract from the living conditions of occupiers of neighbouring properties with regard to privacy and overlooking, overshadowing, outlook or noise and disturbance and where the amenity of future residential occupiers will not be compromised by existing agricultural or commercial activity; and; and</p> <p>f) Preserve as far as practicable existing trees, hedgerows, ponds and other established landscape features and make provision for additional tree planting with locally native</p>	<p>scale, density, bulk and grain of the village is described in the Submission Neighbourhood Development Plan: for the most part, the village has evolved gradually with the construction of single dwellings or very small developments such that the overwhelming character of the village is one that displays a wide variety of style of modest dwellings arranged in an irregular pattern or grain, yet which conform to a common local vernacular. The lack of suburban style development means that the village retains its own distinctive character.</p> <p>Core Strategy Policy SS6 states that development proposals should be shaped through an integrated approach to planning environmental components including landscape, townscape and local distinctiveness from the outset, and based upon sufficient information to determine the effect upon each component where relevant.</p>
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	species.	
D2	<p>In order to preserve the character of the village in line with the requirements of the Framework and to prevent unsympathetic suburban or over dominant development:</p> <p>a) Individual developments of more than three dwellings will not be supported unless justified by exceptional circumstances;</p> <p>b) Developments of more than two dwellings should incorporate a variety of detail design features.</p>	<p>Core Strategy Policy SD1 states that all development proposals should ensure that proposals make efficient use of land - taking into account the local context and site characteristics; new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development, while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design.</p> <p>Core Strategy Policy SS6 states that development proposals should be shaped through an integrated approach to planning environmental components including landscape, townscape and local distinctiveness from the outset, and based upon sufficient information to determine the effect upon each component where relevant.</p>
D3	<p>All proposals for development should comply with policies of the Herefordshire Core Strategy and statutory requirements and should:</p> <p>a) Provide safe and convenient access to the</p>	<p>Policy SS7- Addressing climate change</p> <p>Development proposals will be required to include measures which will mitigate their impact on climate</p>

	<p>public highway;</p> <p>b) Provide adequate off-street parking, taking into account local car ownership levels, the paucity of public transport and the lack of on-street parking together with any site specific circumstances in line with Hereford’s highway design guidelines;;</p> <p>c) Include measures to maximise sustainability including the orientation of buildings, so far as is reasonably practicable, the provision of energy and water conservation measures, cycle storage and recycling storage;</p> <p>d) Incorporate sustainable drainage systems taking into account the low permeability of local subsoils;</p> <p>e) Integrate new homes into the community supporting a more pedestrian and cycle friendly environment;</p> <p>f) Include measures to minimise levels of noise disturbance and air pollution arising from traffic on the public highway.</p>	<p>change.</p> <p>Key considerations in terms of responses to climate change include:</p> <ul style="list-style-type: none"> <li>• taking into account the known physical and environmental constraints when identifying locations for development;</li> <li>• 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;</li> <li>• minimising the risk of flooding and making use of sustainable drainage methods;</li> <li>• reducing heat island effects (for example through the provision of open space and water, planting and green roofs);</li> <li>• reduction, re-use and recycling of waste with particular emphasis on waste minimisation on development sites; and</li> <li>• developments must demonstrate water efficiency measures to reduce demand on water resources.</li> </ul>
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<p>ST1</p>	<p>Measures will be promoted, in association with Herefordshire Council, to reduce the impact of traffic upon amenity and to address community concerns. The impact of development proposals on the existing environment should be comprehensively reviewed to ensure that they are sustainable in terms of infrastructure, road safety and the standards required for a peaceful and safe rural parish.</p> <p>a) Development proposals should ensure that there will be safe access onto the adjacent roads and adequate off street parking for residents and visitors;</p> <p>b) Development in the Parish does not create a significant increase in the volume of traffic on roads that do not have sufficient safe capacity;</p> <p>c) Residential and environmental amenity is not adversely affected by traffic;</p> <p>d) New and improved footpaths are provided, not just within new developments but with appropriate extensions to create safe pedestrian and cycle routes to the key locations</p>	<p>Core Strategy Policy MT1 – Traffic management, highway safety and promoting active travel</p> <p>Development proposals should incorporate the following principle requirements covering movement and transportation:</p> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>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;</li> <li>4. ensure that developments are designed and laid</li> </ol>
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	<p>in the Parish;</p> <p>e) Roads within new developments should be wide enough to allow vehicles (especially emergency vehicles) to pass each other without either using the footway; and</p> <p>f) New development is should be designed to have positive benefits for the storm-water drainage systems in the adjoining roads.</p>	<p>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, cycleways and bridleways unless an alternative route of at least equal utility value can be used, and facilitate improvements to existing or provide new connections to these routes, especially where such schemes have been identified in the Local Transport Plan and/or Infrastructure Delivery Plan; and</p> <p>6. have regard to with both the council’s Highways Development Design Guide and cycle and vehicle parking standards as prescribed in the Local Transport Plan - having regard to the location of the site and need to promote sustainable travel choices.</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>
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<p>SB1</p>	<p>Development proposals, particularly which sustain or increase local business activity and offer employment in the Parish, will be supported provided that:</p> <p>a) The development can be accommodated within the rural character of the Parish;</p> <p>b) The development does not adversely affect environmental amenity. This will include protecting biodiversity, in particular ensuring no significant effects upon any sites designated Special Areas of Conservation; the landscape, the water environment; and the historic environment;</p> <p>c) The road network, access and parking provisions should be sufficient for any increase in traffic;</p> <p>d) External storage and paraphernalia should be screened effectively;</p> <p>e) Noise and light pollution is minimal; and</p> <p>f) Proposals for home working should have no loss of residential amenity such as increased</p>	<p>Policy E1 - Employment provision</p> <p>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.</p> <p>Development proposals which enhance employment provision and help diversify the economy of Herefordshire will be encouraged where:</p> <ul style="list-style-type: none"> <li>• the proposal is appropriate in terms of its connectivity, scale, design and size;</li> <li>• the proposal makes better use of previously developed land or buildings;</li> <li>• the proposal is an appropriate extension to strengthen or diversify an existing business operation;</li> <li>• the proposal provides for opportunities for new office development in appropriate locations.</li> </ul> <p>The Submission Neighbourhood Development Plan explains why Ashperton is not an appropriate location</p>
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	<p>traffic generation, noise or light pollution.</p>	<p>for larger scale business use but that smaller scale local business use will be supported in line with Policy SB1.</p> <p>See also Submission Neighbourhood Development Plan Policy SB2 below.</p>
<p>SB2</p>	<p>In order to deliver sustainable economic growth balanced with population growth the following will be supported:</p> <p>a) New development that includes linked residential and small scale employment space, including the provision of live/work units, as long as there is no adverse impact on the character of settlements and the amenity of nearby residents</p> <p>b) Proposals for home working, where there is no adverse effect on residential amenity, including traffic generation, noise or light pollution.</p>	<p>Core Strategy Policy E3 – Homeworking The value of home working will be recognised by allowing some material change of use to part of a dwelling, where the dwelling remains as the principle place of residence for the home worker; and recognising the potential to encourage and expand home working, by allowing small extensions or conversions where the proposed use and operation would be compatible with its location and heritage value, and where it would not adversely affect the amenity of the neighbourhood by any of the following:</p> <ul style="list-style-type: none"> <li>• changes to the appearance of any building;</li> <li>• noise disturbance from the use or any increased traffic and parking generated;</li> <li>• unsociable hours of operation; and</li> </ul>

		<ul style="list-style-type: none"> <li>• the storage of hazardous materials or emissions from the site.</li> </ul>
<p>SB3</p>	<p>Proposals for change of use of existing buildings will be supported, provided that:</p> <p>a) The re-use will strengthen the local economy or</p> <p>b) It can be demonstrated that the existing use is no longer economically viable i.e. that the site has been marketed at a reasonable price for at least one year for that, or any other suitable employment or service/trade use away from business use; and</p> <p>c) The change of use can be achieved in compliance with all other policies in this Plan</p>	<p>Policy E2 – Redevelopment of existing employment land and buildings</p> <p>Employment land and buildings rated as ‘best’ and ‘good’ using the methodology in the Employment Land Study 2012 (or successor document) will be safeguarded from redevelopment to other non-employment uses.</p> <p>Proposals which would result in the loss of employment land rated as ‘moderate’ will be permitted where:</p> <ol style="list-style-type: none"> <li>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</li> <li>2. there would be a net improvement in amenity through the removal of a non-conforming 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</li> </ol>

		<p>3. the proposal would not result in a piecemeal loss of employment land where there is potential for a more comprehensive scheme;</p> <p>In all cases:</p> <ul style="list-style-type: none"> <li>- the viability of the development proposal must be confirmed through a comprehensive assessment; and</li> <li>- 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.</li> </ul>
<p>SB4</p>	<p>Proposals to enhance the present broadband and mobile telephone equipment infrastructure will be supported through:</p> <p>The introduction of appropriate super-fast broadband and mobile telephone equipment that will provide high quality internet connectivity for business and residential users; and the requirement for new development proposals to include provision for the connection to high speed broadband by means of suitable ducting within the development site, linked to the local/national network.</p>	<p>The Core Strategy recognises, at paragraph 2.20, that the principle barrier to business growth and diversification, particularly in rural Herefordshire, is poor infrastructure, including poor broadband and mobile phone coverage. The £50 million Fastershire project, in partnership with Gloucestershire County Council, aims for all rural areas to gain access to at least 2Mbps (megabits per second) broadband speeds, with many people receiving much higher speeds.</p> <p>Recognising that the influence of the Neighbourhood Plan is limited in this area, Policy SB4 seeks to</p>

		<p>support the enhancement of telecommunications infrastructure.</p>
<p>E1</p>	<p>Housing development will be supported in locations set out in the NDP where:</p> <p>a) Sites must exhibit the capacity to absorb building without serious harm to landscape character or notable views as described elsewhere in the plan.</p> <p>b) All new developments should seek to enhance the local landscape character and visual amenity.</p> <p>c) All proposers of new development will be required to consult with the Parish Council as well as Herefordshire Council to demonstrate, with reference to the County Landscape Character Assessment, how their proposals respect and accord local character.</p> <p>d) Planting schemes in new developments would be expected to feature native species.</p>	<p>Core Strategy Policy LD1 –</p> <p>Landscape and townscape Development proposals should:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• 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;</li> <li>• incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and</li> <li>• maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through</li> </ul>

		<p>development and new planting to support green infrastructure.</p> <p>Core Strategy Policy SS6 - Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> <li>• landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;</li> <li>• biodiversity and geodiversity especially Special</li> </ul>
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		<p>Areas of Conservation and Sites of Special Scientific Interest;</p> <ul style="list-style-type: none"> <li>• historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings;</li> <li>• the network of green infrastructure;</li> <li>• local amenity, including light pollution, air quality and tranquillity;</li> <li>• agricultural and food productivity;</li> <li>• physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.</li> </ul>
E2	<p>a) The importance of tranquillity will be respected throughout the Parish as a priority so far as possible within the planning regime.</p> <p>b) Street lighting is not supported.</p> <p>c) Proposed new private outside lighting will be subject to rigorous scrutiny to ensure it is sensitive, neighbourly and protects our dark night skies.</p>	<p>The Core Strategy, in paragraph 2.24, recognises that many ancient local landscapes continue to survive intact in the face of development pressures and the county’s remoter areas often possess a continuity and tranquillity that is increasingly scarce.</p> <p>Core Strategy Policy SS6 states that development proposals should be shaped through an integrated approach to planning environmental components including local amenity, including light pollution, air quality and tranquillity from the outset, and based</p>

		upon sufficient information to determine the effect upon each component where relevant.
E3	<p>a) Development should be sure to protect and enhance our cultural heritage.</p> <p>b) Building should not take place on archaeological features except in exceptional circumstances and should be sensitive to their settings.</p> <p>c) Development should include a watching brief by the county archaeology service.</p>	Core Strategy Policy SS6 states that development proposals should be shaped through an integrated approach to planning environmental components including local amenity, historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings from the outset, and based upon sufficient information to determine the effect upon each component where relevant
E4	<p>a) Development will only be supported where it has a nil or positive effect on the Parish’s habitats and species.</p> <p>b) All planning applications for new dwellings and for non-residential development should be supported, before determination, by a Preliminary Ecological Appraisal in accordance with CIEEM guidelines.</p> <p>c) Any unavoidable damage will require mitigation measures within the Parish.</p> <p>d) Development on the locally important</p>	<p>Core Strategy Policy LD2 – Biodiversity and geodiversity</p> <p>Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:</p> <ol style="list-style-type: none"> <li>1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows: a) Development that is likely to harm sites and species of European Importance will not be permitted; b) Development that would be liable to harm Sites of Special Scientific Interest or</li> </ol>

	<p>sites identified will not be supported.</p>	<p>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>
E5	a) Development in areas of river flooding will	Core Strategy Policy SD3 (1)– Sustainable water

	<p>not be supported.</p> <p>b) Plans for new developments must include a 'Flood Risk Assessment' to clearly demonstrate the provision of adequate drainage solutions that do not create or exacerbate flooding and avoid pollution of the environment.</p>	<p>management and water resources</p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation. This will be achieved by ensuring that development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire</p>
<p>RE1</p>	<p>Proposals to deliver renewable and low carbon energy for domestic or in-house electricity generation or heating will be supported provided that:</p> <p>a) Equipment is designed and sited so as to minimise the effects on visual amenity and residential amenity of occupiers of neighbouring properties; and</p> <p>b) The proposal does not affect the character, appearance or setting of any heritage</p>	<p>Policy SD1 – Sustainable design and energy efficiency</p> <p>Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements:</p> <ul style="list-style-type: none"> <li>• 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</li> </ul>

	<p>asset, including listed buildings.</p>	<p>infrastructure;</p> <ul style="list-style-type: none"> <li>• where possible, on-site renewable energy generation should also be incorporated; create safe and accessible environments, and that minimise opportunities for crime and anti-social behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measures;</li> <li>• ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development.</li> </ul>
<p>RE2</p>	<p>Proposals for commercial scale wind turbines of over 30m hub height or over 50kW output will not be supported due to the adverse effect on character of the sensitive local landscape</p> <p>Proposals for other commercial renewable energy schemes, where electricity or heat would be exported, will be supported provided that:</p> <p>a) The proposal does not adversely affect any designated heritage or natural asset;</p> <p>b) The proposal does not unacceptably affect the residential amenity of the occupiers of neighbouring properties in respect of noise and</p>	<p>Policy SD2 – Renewable and low carbon energy generation Development proposals that seek to deliver renewable and low carbon energy will be supported where they meet the following criteria:</p> <ol style="list-style-type: none"> <li>1. the proposal does not adversely impact upon international or national designated natural and heritage assets;</li> <li>2. the proposal does not adversely affect residential amenity;</li> <li>3. the proposal does not result in any significant detrimental impact upon the character of the landscape and the built or historic environment and</li> </ol>

	<p>disturbance, outlook or air or water pollution;</p> <p>c) The proposal does not cause significant harm in terms of visual amenity or harm to the character of the landscape; and</p> <p>d) The proposal can be connected to the electricity infrastructure or to a local specific end user of heat in an efficient and environmentally acceptable manner.</p>	<p>4. the proposal can be connected efficiently to existing national grid infrastructure unless it can be demonstrated that energy generation would be used on-site to meet the needs of a specific end user.</p> <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"><li>• the proposed site is identified in a Neighbourhood Development Plan or other Development Plan Document as a suitable site for wind energy generation; and</li><li>• 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.</li></ul>
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- 4 The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with, EU obligations.

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

The Neighbourhood Plan has been subjected to a separate Screening Process for Strategic Environmental Assessment Scoping and Habitat Regulations Assessment Screening prepared by Herefordshire Council and published for consultation as a Part of Regulation 14.

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

The Human Rights Act 1998 (HRA) enshrines in UK law most of the fundamental rights and freedoms contained in the European Convention on Human Rights (ECHR). It is unlawful for a public authority to act in a way which is incompatible with a Convention right – section 6(1).

Article 1 of the ECHR binds the signatory parties to secure the rights under other Articles. The rights that belong to all individuals, regardless of nationality and citizenship, are set out in Articles 2-12 and 14 of the Convention and Articles 1-3 of the First Protocol. In summary, these are:

Article 1 of the First Protocol – protection of property

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Article 2 of the First Protocol - right to education

Article 3 of the First Protocol – right to free elections

Article 2 – right to life

Article 3 – prohibition of torture

Article 4 – prohibition of slavery and forced labour

Article 5 – right to liberty and security

Article 6 – right to a fair trial

Article 7 – no punishment without law

Article 8 – right for respect for private and family life

Article 9 – freedom of thought, conscience and religion

Article 10 – freedom of expression

Article 11 – freedom of assembly and association

Article 12 – right to marry

Article 14 – prohibition of discrimination

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

considering planning decisions, namely:

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

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

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

- 5 Prescribed conditions are met in relation to the Neighbourhood Development Plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

All prescribed conditions have been met in relation to the Neighbourhood Development Plan and prescribed matters have been fully complied with.