



Clehonger Neighbourhood Development Plan 2011-2031

Basic Conditions Statement

CONTENTS

| | Page |
|---|-------------|
| 1. INTRODUCTION | 1 |
| 2. LEGAL REQUIREMENTS | 2 |
| 3. REGARD TO NATIONAL POLICIES AND ADVICE | 3 |
| 4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT | 13 |
| 5. GENERAL CONFORMITY WITH STRATEGIC POLICY | 15 |
| 6. EU OBLIGATIONS | 23 |
| | |
| Table 1: National policies and advice by NDP policy | 5 |
| Table 2: Sustainable development | 14 |
| Table 3: General conformity of NDP policies with strategic policies | 15 |
| Table 4: EU Obligations | 23 |

1. INTRODUCTION

- 1.1 A draft Neighbourhood Development Plan must meet each of a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 1.2 This Statement has been prepared for Clehonger Parish Council to demonstrate that the Clehonger Neighbourhood Development Plan 2011-2031 (NDP) meets legal requirements and the prescribed basic conditions.
- 1.3 The Statement confirms that:
- the legal requirements have been met (section 2)
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the NDP (section 3)
 - the NDP contributes to sustainable development (section 4)
 - the NDP is in general conformity with the strategic policies contained in the relevant development plan, the Herefordshire Local Plan Core Strategy (section 5)
 - the NDP does not breach and is otherwise compatible with EU obligations, and that the making of the NDP does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (section 6).

2. LEGAL REQUIREMENTS

- 2.1 The NDP relates to the area that was designated by Herefordshire Council as a Neighbourhood Area on 21 November 2014. The NDP relates only to this Area. No other Neighbourhood Development Plan has or is being made for the Area.
- 2.2 Clehonger Parish Council is a qualifying body.
- 2.3 The NDP is a plan which sets out policies in relation to the development and use of land in the Neighbourhood Area and which has been prepared in accordance with the statutory provisions.
- 2.4 The NDP specifies the period for which it is to have effect, which is 2011-2031.
- 2.5 The NDP does not include provision about development that is excluded development, such as mineral and waste matters, nationally significant infrastructure projects or other prescribed development under section 61K of the Town and Country Planning Act 1990.

3. REGARD TO NATIONAL POLICIES AND ADVICE

- 3.1 The NDP has been prepared with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF)¹ and Planning Practice Guidance (PPG).² The NDP will help achieve national planning policies at the parish level.
- 3.2 NPPF paragraph 13 sets out requirements for how communities engage in neighbourhood planning. In accordance with this national policy, the NDP supports the delivery of strategic policies set out in the Local Plan, including its policies for housing and economic development, and seeks to shape and direct development that is outside these strategic policies.
- 3.3 In accord with NPPF paragraph 16, the NDP:
- contributes to the objective of achieving sustainable development, as explained in section 4 of this Statement.
 - has been prepared positively through community engagement as explained in the Consultation Statement.
 - has been shaped by early, proportionate and effective engagement with the community and other consultees, as explained in the Consultation Statement.
 - contains policies that are clearly written and unambiguous.
 - is accessible via the Parish Council website.
 - serves a clear purpose in the context of the Clehonger Neighbourhood Area, complementing rather than duplicating existing national and Local Plan policies as explained in this section and section 5.
- 3.4 The NPPF sets out more specific guidance on neighbourhood plans as follows:
- NPPF paragraph 29: Clehonger Parish Council have used neighbourhood planning powers to develop a local vision for the Neighbourhood Area and to set planning policies in the NDP as part of the statutory development plan.
 - NPPF paragraph 29: the NDP is considered to be in general conformity with the strategic policies of the Local Plan. In Herefordshire, these are the policies set out in the adopted Core Strategy.³ The NDP reflects the strategic policies and plans positively to support them. It does not promote less development than set out in the Core Strategy, or undermine its strategic policies. The NDP defines a settlement boundary for Clehonger and provides criteria-based planning policies to guide housing growth, economic development and

¹ February 2019.

² <https://www.gov.uk/government/collections/planning-practice-guidance>

³ Herefordshire Local Plan Core Strategy 2011-2031, October 2015, paragraph 1.14.

environmental protection. The general conformity of the NDP with the strategic policies of the Core Strategy is set out in more detail in section 5 below.

- NPPF paragraph 31: the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focussed tightly on supporting and justifying the policies concerned. In preparing the NDP, use has been made of existing evidence sources, supplemented as necessary by information from consultation including a residents' survey. This evidence is referred to throughout the NDP as required and is summarised in Appendix A of the Plan.

3.5 PPG indicates that a policy should be clear and unambiguous to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance further advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the context and the characteristics of the area.⁴ There is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies.⁵ In accordance with this guidance, NDP policies have been carefully crafted to be clear and unambiguous and are based on appropriate and proportionate evidence.

3.6 The regard had to national policies is set out in more detail on an NDP policy-by-policy basis in Table 1.

⁴ PPG Paragraph: 041 Reference ID: 41-041-20140306.

⁵ PPG Paragraph: 040 Reference ID: 41-040-20160211

Table 1: National policies and advice by NDP policy

| NDP policy | Regard to national policies |
|---|---|
| <p>Policy C1: Sustainable development</p> <p>Development proposals which contribute to the sustainable development of the Clehonger Neighbourhood Area will be supported. In making this assessment, the following objectives will be sought and balanced, as relevant to the proposal:</p> <ol style="list-style-type: none"> 1. to deliver new housing which meets the strategic requirements, is proportionate in terms of those requirements, and helps address community needs; 2. taking all opportunities to conserve and enhance the distinctive natural and historic environment, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity; 3. supporting new and diversified employment opportunities which are compatible and in scale with the rural nature of the area; 4. retaining and enhancing social and community infrastructure, and promoting and enabling new provision, to meet a range of needs and promote quality of life; 5. fostering sustainable transport provision and making use of opportunities to provide or support the provision of new or improved public transport, walking and cycling infrastructure and connectivity. | <p>Policy C1 reflects the national policy objective that the purpose of the planning system is to contribute to the achievement of sustainable development, and that in doing so economic, social and environmental objectives should be pursued in a mutually supportive way (NPPF paras. 7 and 8).</p> <p>The NDP is the vehicle for guiding development in the locality towards sustainable solutions, taking into account the character, needs and opportunities of the Neighbourhood Area (NPPF para.9).</p> |
| <p>Policy C2: Clehonger settlement boundary</p> <p>A settlement boundary for Clehonger is defined and is shown on Plan 4. Proposals for housing inside the settlement boundary will be supported where they are in accord with policy C6 on design, including in respect of the relationship to the character of adjoining development, settlement form and the wider landscape, and can be shown to be of a size and type to meet local requirements in</p> | <p>Policy C2 is in accord with national policy to promote sustainable development in rural areas by locating housing where it will enhance and maintain the vitality of rural communities, and to avoid the development of isolated homes in the countryside (NPPF paras. 78 and 79). Clehonger is a settlement identified in the Local Plan Core Strategy as a main focus of for proportionate housing development (policy RA2). Outside of settlements new housing is restricted to avoid an unsustainable pattern of development (policy RA3). The</p> |

| NDP policy | Regard to national policies |
|--|--|
| accordance with policy C3 on housing mix. | settlement boundary provides a basis for enabling this approach by defining the extent of the village. |
| <p>Policy C3: Housing mix</p> <p>In all cases, housing proposals should be able to demonstrate that they are of a type and size that positively contribute to meeting the latest assessment of housing needs, particularly for smaller properties.</p> <p>Development proposals which provide housing of a suitable size, tenure and style to meet local needs will be supported. In particular, smaller 2- or 3-bedroom property will be encouraged, as well as schemes designed to meet the needs of older people, first-time buyers and young families.</p> <p>Where a site includes a mix of affordable and open market housing, the affordable units should be distributed across the site and be designed to be indistinguishable from the open market units.</p> <p>Proposals that seek to concentrate different types and tenures of homes in separate groups on a site will not be supported.</p> | <p>Policy C3 seeks to ensure that housing needs and requirements in the Neighbourhood Area will be met in accord with NPPF paras. 59 and 77. The policy is responsive to local circumstances and supports housing developments that reflect local needs as to size, type and tenure in accord with NPPF para. 61.</p> |
| <p>Policy C4: Natural environment</p> <p>Development proposals should protect, conserve and where possible enhance the natural environment of Clehonger Neighbourhood Area in accordance with the principles in Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3 by:</p> <ol style="list-style-type: none"> 1. avoiding likely harm to the River Wye Special Area of Conservation and to species of European importance; and 2. avoiding likely harm to the River Wye and Cage Brook Valley Sites of Special Scientific Interest unless the benefits of the proposed development clearly outweigh the likely impacts on the conservation status of the Site concerned and on the national network of protected Sites; and | <p>Policy C4 has had regard to national policy in NPPF chapter 15 which deals with conserving and enhancing the natural environment. It is in line with NPPF para. 170 which requires planning policies to contribute to and enhance the natural and local environment by protecting valued landscapes and sites of biodiversity or geological value in a manner commensurate with their statutory status or identified quality.</p> <p>The policy distinguishes between the hierarchy of international, national and locally designated sites and takes a strategic approach to maintaining and enhancing networks of habitats and green infrastructure, in line with NPPF para. 171.</p> |

| NDP policy | Regard to national policies |
|---|---|
| <p>3. respecting the prevailing landscape character, as defined in the County Landscape Character Assessment, and protect the following public views (see illustrative photographs overleaf):</p> <p>A. views looking south from Ruckhall Lane, including of Old Clehonger and Belmont Abbey; and</p> <p>B. view looking north from Birch Hill Road towards hills on the other side of the River Wye; and</p> <p>C: view looking west from Clehonger bridleway 16 opposite Bowling Green Farm to Hay Bluff in the distance; and</p> <p>4. promoting the conservation, restoration and enhancement of other sites and features of landscape value and biodiversity interest in accordance with their status, including those identified in the Priority Habitats Inventory, Local Wildlife Sites, irreplaceable habitats such as ancient woodland and veteran trees, hedgerows, ponds and watercourses, and historic field boundaries; and</p> <p>5. maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, and taking into account their role as green infrastructure.</p> | |
| <p>Policy C5: Historic environment</p> <p>Development proposals should protect, conserve and where possible enhance the historic environment and heritage assets in the Clehonger Neighbourhood Area. In considering the impact of proposed development on heritage assets, account will be taken of their significance (including any contribution made by their setting) in accord with the National Planning Policy Framework and Herefordshire Local Plan Core Strategy policy LD4 by:</p> <p>1. giving great weight to conserving designated heritage assets including listed buildings and scheduled ancient monuments, irrespective of the scale of harm or loss of significance; and</p> | <p>Policy C5 has had regard to national policy in NPPF chapter 16 which deals with conserving and enhancing the historic environment. It requires heritage assets to be conserved in a manner appropriate to their significance in line with NPPF para. 184.</p> <p>The policy distinguishes between designated and non-designated heritage assets in accord with the national approach. Reference to the NPPF is incorporated within the policy.</p> |

| NDP policy | Regard to national policies |
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| <ol style="list-style-type: none"> 2. for non-designated heritage assets including parks and gardens and archaeological sites, balancing the scale of any harm or loss against their significance; and 3. ensuring that proposals for the redevelopment, alteration or extension of historic farmsteads and agricultural buildings are sensitive to their distinctive character, materials and form. | |
| <p>Policy C6: Design</p> <p>Development proposals should maintain and enhance the local distinctiveness of Clehonger Neighbourhood Area and achieve a high quality of design by:</p> <ol style="list-style-type: none"> 1. respecting and positively responding to the character of adjoining development, settlement form and the wider landscape, having regard to siting, scale, height, massing, detailing, materials and means of enclosure; and 2. incorporating sustainability measures to include building orientation and design, energy and water conservation, sustainable construction methods and materials, the generation of renewable energy, charging points for electric vehicles, and provision for the recycling of waste, cycle storage, communications and broadband technologies; and 3. in the case of proposals for new housing, incorporating private amenity space and sufficient off-road parking for vehicles and cycles commensurate with the size and type of property; and 4. being capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. The arrangements for access should wherever practicable include provisions for pedestrians and cyclists to encourage active travel, and for powered disability vehicles; and 5. avoiding creating unacceptable impacts on residential amenity and tranquillity from noise, volume and nature of traffic | <p>Policy C6 seeks to achieve a high quality of design reflecting NPPF chapter 12. In doing so it provides guidance on a range of matters including local character and landscape setting, architecture and layout, and landscaping. It also supports designs promoting a high level of sustainability (NPPF para. 131).</p> <p>The policy aims to prevent new and existing development from contributing to or being affected by unacceptable levels of pollution (NPPF para. 170 e).</p> |

| NDP policy | Regard to national policies |
|--|---|
| <p>generated, light, dust or odour; and</p> <p>6. retaining and incorporating features of amenity and biodiversity value, such as mature trees, ponds and hedgerows, and incorporate new provision for wildlife; and</p> <p>7. providing for new tree planting and other landscaping which is in keeping with the prevailing landscape character, uses locally appropriate and native species, integrates new buildings in their surroundings, and supports green infrastructure and the Herefordshire Ecological Network.</p> <p>Modern design approaches which take an innovative approach, including to energy efficiency and sustainability, will be welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.</p> | |
| <p>Policy C7: Business and tourism</p> <p>Development proposals to enable the creation or expansion of small and medium business enterprises will be supported provided that they are of a scale, type and nature appropriate to their location and setting and the impacts on highway safety and capacity are or can be made acceptable. This includes:</p> <ol style="list-style-type: none"> 1. the re-use of redundant rural buildings for business use and the provision of live/work units; and 2. the small-scale extension of existing business premises and commercial facilities; and 3. extensions to existing dwellings needed to enable home working; and 4. the development and diversification of farm, forestry and other land-based rural businesses; and 5. rural tourism, craft and leisure proposals, particularly those which sustain, enhance and promote a better understanding of the local natural, historic and cultural environment. | <p>Policy C7 aims to encourage the sustainable economic growth and expansion of businesses in the Neighbourhood Area as set out in NPPF para. 83. It sets criteria for enabling opportunities to meet business needs arise outside existing settlements, and sets appropriate criteria (NPPF para. 84).</p> |

| NDP policy | Regard to national policies |
|---|--|
| <p>Policy C8: Agricultural development</p> <p>Proposals for agricultural development requiring planning permission, for example intensive livestock units, polytunnels or horticulture, should be able to demonstrate that they meet the following requirements. Any other existing, permitted or proposed similar developments in the locality should be taken into account so that cumulative impacts can be considered:</p> <ol style="list-style-type: none"> 1. the local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and 2. the impacts on landscape character and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and 3. there will be no undue loss of amenity to the occupiers of residential properties, including by way of external lighting, the design and siting of any installation, or odour, noise and air pollution; and 4. there are no unacceptable impacts on the natural and historic environments, in accordance with policies C4 and C5; and 5. sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution and soil erosion; and 6. there are no unacceptable impacts on the utility and enjoyment of public rights of way. | <p>Policy C8 establishes criteria to be used to enable the development of agricultural businesses, in line with NPPF para. 83 b).</p> |
| <p>Policy C9: Community facilities</p> <p>Existing community facilities in Clehonger will be retained in accordance with Herefordshire Local Plan Core Strategy policy SC1.</p> | <p>Policy C9 seeks the retention and development of accessible local services and community facilities, as part of supporting a prosperous rural economy in line with NPPF para. 83 d). It also takes account of NPPF para. 92 which requires planning policies to plan positively for</p> |

| NDP policy | Regard to national policies |
|---|--|
| <p>Development proposals for the enhancement of community facilities and for new provision will be supported. Diversification proposals which can be shown to enable or increase the viability of existing and proposed services and facilities will be encouraged. Proposals should take account of the potential for the co-location of services in achieving viability.</p> | <p>the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments.</p> |
| <p>Policy C10: Clehonger playing field</p> <p>Proposals that would result in the loss of open space, sport and recreational land and buildings at Clehonger playing field as shown on Plan 4 will not be permitted unless:</p> <ol style="list-style-type: none"> 1. it can be satisfactorily demonstrated that the open space, land or buildings concerned are surplus to requirements, or 2. that the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, taking into account accessibility by foot, cycle and public transport, or 3. the development is for alternative sports or recreational provision, the benefits of which clearly outweigh the loss. | <p>Policy C10 provides for the protection of Clehonger playing field in accord with the criteria at NPPF para. 97 a) to c).</p> |
| <p>Policy C11: Hereford bypass</p> <p>Proposals for the Hereford bypass within the Neighbourhood Area should:</p> <ol style="list-style-type: none"> 1. give great weight to conserving designated heritage assets including those at Belmont Abbey in accordance with policy C5; and 2. minimise impact on landscape character and visual amenity through scheme routing and design including appropriate use of cuttings, embankments and bunding; and 3. incorporate landscaping proposals using native species to provide effective visual screening and noise reduction; and 4. specify road surface materials designed to reduce traffic noise; | <p>Policy C11 sets criteria to be used in assessing detailed proposals for the Hereford bypass. The policy aims to support and promote sustainable transport modes (NPPF 108 a). It also aims to minimise impacts on the natural and historic environments in accord with NPPF chapters 15 and 16.</p> |

| NDP policy | Regard to national policies |
|--|-----------------------------|
| <p>and</p> <ol style="list-style-type: none"> 5. include sustainable drainage, storage and attenuation proposals to eliminate surface water run-off onto adjacent land and to avoid the risk of pollution; and 6. include lighting only as necessary for highway safety purposes, with light spillage kept to a minimum to reduce impact on amenity, wildlife and the character of the area; and 7. where existing highways and public rights of way are affected provide for continued connections of equivalent or better convenience and utility, and improve provision for walking, cycling and horse riding where opportunities arise; and 8. provide for wildlife where movement corridors are affected. | |

4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

4.1 The making of the Clehonger NDP will contribute to the achievement of sustainable development.

4.2 The NPPF explains that achieving sustainable development means that the planning system has three overarching objectives:

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.3 The NPPF emphasises that these objectives are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the objectives. The objectives should be delivered through the preparation and implementation of plans and the application of the policies in the Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

4.4 The three objectives are then set out in greater detail in subsequent chapters of the NPPF. Section 3 of this Statement explains how the NDP has had regard to national policy and advice, and thus how it will contribute to the achievement of sustainable development.

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

4.6 Policy C1 establishes that the NDP will play an active role in guiding development in the Neighbourhood Area to a sustainable solution. The aim will be to consider how individual proposals contribute to sustainability, assessed across economic, social and environmental objectives, to best deliver the NDP’s vision and objectives. Importantly the policy approach recognises the interdependence of the objectives and the need to take into account the character, needs and opportunities of the Neighbourhood Area. Table 2 sets out how the Plan’s policies will help achieve sustainable development, by contributing to each of the three national objectives.

Table 2: Sustainable development

| Sustainable development objective | How the Clehonger NDP contributes |
|-----------------------------------|--|
| Economic | The NDP provides positively for development needs and requirements. Provision is made for housing above the strategic requirement, including by incorporating an unimplemented planning commitment site within the Clehonger settlement boundary and making a realistic allowance for windfalls (policy C2). Business and tourism proposals of an appropriate scale, type and nature are supported (policy C7). This policy recognises the importance of supporting the rural economy through the re-use of redundant rural buildings, extensions to existing businesses and dwellings, farm diversification, and tourism, craft and leisure proposals. The NDP also provides a criteria-based framework against which to assess proposals for agricultural development (policy C8). Improvements to communications and broadband will be sought through Community Action CA8. |
| Social | The NDP addresses requirements for new housing through policy C3, including for dwellings of a type and size that positively contribute to meeting housing needs. The NDP further meets social needs by protecting community facilities (policy C9) and Clehonger playing field (policy C10). Community Actions apply to a range of other social and community aspects, including sustainable travel, public transport, health services and communications and broadband. |
| Environmental | The definition of a settlement boundary for Clehonger by policy C2 will serve to promote a sustainable pattern of development. Policy C6 sets out a range of requirements to deliver sustainable development at the site and building scale. Other policies serve to protect, conserve and enhance the natural and historic environments (policies C4 and C5). Policy C11 will ensure that a range of potential environmental impacts are considered when detailed proposals are considered for that section of the Hereford bypass which runs through the Neighbourhood Area. |

5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Clehonger NDP is in general conformity with the strategic policies contained in the development plan for the area, namely the Herefordshire Local Plan Core Strategy. Herefordshire Council has confirmed this position in its consultation response to the draft Plan. Table 3 sets out how each of the NDP’s policies align with the strategic policies. The Core Strategy can be seen at https://www.herefordshire.gov.uk/info/200185/local_plan/137/local_plan_-_core_strategy/2.
- 5.2 Remaining saved policies of the Herefordshire Unitary Development Plan are not relevant to the NDP.

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

| NDP policy | General conformity with Herefordshire Local Plan Core Strategy |
|---|---|
| <p>Policy C1: Sustainable development</p> <p>Development proposals which contribute to the sustainable development of the Clehonger Neighbourhood Area will be supported. In making this assessment, the following objectives will be sought and balanced, as relevant to the proposal:</p> <ol style="list-style-type: none"> 1. to deliver new housing which meets the strategic requirements, is proportionate in terms of those requirements, and helps address community needs; 2. taking all opportunities to conserve and enhance the distinctive natural and historic environment, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity; 3. supporting new and diversified employment opportunities which are compatible and in scale with the rural nature of the area; 4. retaining and enhancing social and community infrastructure, and promoting and enabling new provision, to meet a range of needs and promote quality of life; 5. fostering sustainable transport provision and making use of opportunities to provide or support the provision of new or improved public transport, walking and cycling infrastructure and connectivity. | <p>Policy C1 is in general conformity with strategic policies SS1 <i>Presumption in favour of sustainable development</i>, SS4 <i>Movement and transportation</i>, H3 <i>Ensuring an appropriate range and mix of housing</i>, LD1 <i>Landscape and townscape</i>, SC1 <i>Social and community facilities</i> and OS2 <i>Meeting open space, sports and recreation needs</i>. It adds local detail on the social, economic and environmental dimensions of sustainable development within the Neighbourhood Area.</p> |

| NDP policy | General conformity with Herefordshire Local Plan Core Strategy |
|--|--|
| <p>Policy C2: Clehonger settlement boundary</p> <p>A settlement boundary for Clehonger is defined and is shown on Plan 4. Proposals for housing inside the settlement boundary will be supported where they are in accord with policy C6 on design, including in respect of the relationship to the character of adjoining development, settlement form and the wider landscape, and can be shown to be of a size and type to meet local requirements in accordance with policy C3 on housing mix.</p> | <p>Policy C2 is in general conformity with strategic policies H1 <i>Affordable housing</i> and H3 <i>Ensuring an appropriate range and mix of housing</i>. It adds local detail by defining an appropriate settlement boundary for Clehonger and setting out criteria for development in the village.</p> |
| <p>Policy C3: Housing mix</p> <p>In all cases, housing proposals should be able to demonstrate that they are of a type and size that positively contribute to meeting the latest assessment of housing needs, particularly for smaller properties.</p> <p>Development proposals which provide housing of a suitable size, tenure and style to meet local needs will be supported. In particular, smaller 2- or 3-bedroom property will be encouraged, as well as schemes designed to meet the needs of older people, first-time buyers and young families.</p> <p>Where a site includes a mix of affordable and open market housing, the affordable units should be distributed across the site and be designed to be indistinguishable from the open market units.</p> <p>Proposals that seek to concentrate different types and tenures of homes in separate groups on a site will not be supported.</p> | <p>Policy C3 is in general conformity with strategic policy H3 <i>Ensuring an appropriate range and mix of housing</i>. It adds local detail by setting out the size, tenure and style of housing that is required to meet needs in the Neighbourhood Area.</p> |
| <p>Policy C4: Natural environment</p> <p>Development proposals should protect, conserve and where possible enhance the natural environment of Clehonger Neighbourhood Area in accordance with the principles in Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3 by:</p> <ol style="list-style-type: none"> 1. avoiding likely harm to the River Wye Special Area of | <p>Policy C4 is in general conformity with strategic policies SS6 <i>Environmental quality and local distinctiveness</i>, LD1 <i>Landscape and townscape</i>, LD2 <i>Biodiversity and geodiversity</i>, LD3 <i>Green infrastructure</i>, SD3 <i>Sustainable water management and water resources</i> and SD4 <i>Wastewater treatment and river water quality</i>. It adds local detail by identifying natural environmental assets in the Neighbourhood Area, including notable views of the village and</p> |

| NDP policy | General conformity with Herefordshire Local Plan Core Strategy |
|---|--|
| <p>Conservation and to species of European importance; and</p> <ol style="list-style-type: none"> 2. avoiding likely harm to the River Wye and Cage Brook Valley Sites of Special Scientific Interest unless the benefits of the proposed development clearly outweigh the likely impacts on the conservation status of the Site concerned and on the national network of protected Sites; and 3. respecting the prevailing landscape character, as defined in the County Landscape Character Assessment, and protect the following public views (see illustrative photographs overleaf): <ol style="list-style-type: none"> A. views looking south from Ruckhall Lane, including of Old Clehonger and Belmont Abbey; and B. view looking north from Birch Hill Road towards hills on the other side of the River Wye; and C: view looking west from Clehonger bridleway 16 opposite Bowling Green Farm to Hay Bluff in the distance; and 4. promoting the conservation, restoration and enhancement of other sites and features of landscape value and biodiversity interest in accordance with their status, including those identified in the Priority Habitats Inventory, Local Wildlife Sites, irreplaceable habitats such as ancient woodland and veteran trees, hedgerows, ponds and watercourses, and historic field boundaries; and 5. maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, and taking into account their role as green infrastructure. | <p>countryside.</p> |
| <p>Policy C5: Historic environment</p> <p>Development proposals should protect, conserve and where possible enhance the historic environment and heritage assets in the Clehonger Neighbourhood Area. In considering the impact of proposed development on heritage assets, account will be taken of their significance (including any contribution made by their setting)</p> | <p>Policy C5 is in general conformity with strategic policy LD4 <i>Historic environment and heritage assets</i>. It adds local detail by identifying historic environment assets in the Neighbourhood Area and distinguishing between designated and non-designated heritage assets.</p> |

| NDP policy | General conformity with Herefordshire Local Plan Core Strategy |
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| <p>in accord with the National Planning Policy Framework and Herefordshire Local Plan Core Strategy policy LD4 by:</p> <ol style="list-style-type: none"> 1. giving great weight to conserving designated heritage assets including listed buildings and scheduled ancient monuments, irrespective of the scale of harm or loss of significance; and 2. for non-designated heritage assets including parks and gardens and archaeological sites, balancing the scale of any harm or loss against their significance; and 3. ensuring that proposals for the redevelopment, alteration or extension of historic farmsteads and agricultural buildings are sensitive to their distinctive character, materials and form. | |
| <p>Policy C6: Design</p> <p>Development proposals should maintain and enhance the local distinctiveness of Clehonger Neighbourhood Area and achieve a high quality of design by:</p> <ol style="list-style-type: none"> 1. respecting and positively responding to the character of adjoining development, settlement form and the wider landscape, having regard to siting, scale, height, massing, detailing, materials and means of enclosure; and 2. incorporating sustainability measures to include building orientation and design, energy and water conservation, sustainable construction methods and materials, the generation of renewable energy, charging points for electric vehicles, and provision for the recycling of waste, cycle storage, communications and broadband technologies; and 3. in the case of proposals for new housing, incorporating private amenity space and sufficient off-road parking for vehicles and cycles commensurate with the size and type of property; and 4. being capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. The arrangements for access should wherever practicable include provisions for pedestrians and | <p>Policy C6 is in general conformity with strategic policies SS4 <i>Movement and transportation</i>, MT1 <i>Traffic management, highway safety and promoting active travel</i>, SD1 <i>Sustainable design and energy efficiency</i>, LD1 <i>Landscape and townscape</i>, LD2 <i>Biodiversity and geodiversity</i>, and LD3 <i>Green infrastructure</i>. It adds local detail by reflecting issues of concern to residents.</p> |

| NDP policy | General conformity with Herefordshire Local Plan Core Strategy |
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| <p>cyclists to encourage active travel, and for powered disability vehicles; and</p> <ol style="list-style-type: none"> 5. avoiding creating unacceptable impacts on residential amenity and tranquillity from noise, volume and nature of traffic generated, light, dust or odour; and 6. retaining and incorporating features of amenity and biodiversity value, such as mature trees, ponds and hedgerows, and incorporate new provision for wildlife; and 7. providing for new tree planting and other landscaping which is in keeping with the prevailing landscape character, uses locally appropriate and native species, integrates new buildings in their surroundings, and supports green infrastructure and the Herefordshire Ecological Network. <p>Modern design approaches which take an innovative approach, including to energy efficiency and sustainability, will be welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.</p> | |
| <p>Policy C7: Business and tourism</p> <p>Development proposals to enable the creation or expansion of small and medium business enterprises will be supported provided that they are of a scale, type and nature appropriate to their location and setting and the impacts on highway safety and capacity are or can be made acceptable. This includes:</p> <ol style="list-style-type: none"> 1. the re-use of redundant rural buildings for business use and the provision of live/work units; and 2. the small-scale extension of existing business premises and commercial facilities; and 3. extensions to existing dwellings needed to enable home working; and 4. the development and diversification of farm, forestry and other land-based rural businesses; and | <p>Policy C7 is in general conformity with strategic policies SS1 <i>Presumption in favour of sustainable development</i>, RA5 <i>Re-use of rural buildings</i>, RA6 <i>Rural economy</i>, E3 <i>Homeworking</i>, and E4 <i>Tourism</i>. It adds local detail in respect of the type and pattern of employment that is sought, including rural tourism and leisure proposals.</p> |

| NDP policy | General conformity with Herefordshire Local Plan Core Strategy |
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| <p>5. rural tourism, craft and leisure proposals, particularly those which sustain, enhance and promote a better understanding of the local natural, historic and cultural environment.</p> | |
| <p>Policy C8: Agricultural development</p> <p>Proposals for agricultural development requiring planning permission, for example intensive livestock units, polytunnels or horticulture, should be able to demonstrate that they meet the following requirements. Any other existing, permitted or proposed similar developments in the locality should be taken into account so that cumulative impacts can be considered:</p> <ol style="list-style-type: none"> 1. the local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and 2. the impacts on landscape character and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and 3. there will be no undue loss of amenity to the occupiers of residential properties, including by way of external lighting, the design and siting of any installation, or odour, noise and air pollution; and 4. there are no unacceptable impacts on the natural and historic environments, in accordance with policies C4 and C5; and 5. sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution and soil erosion; and 6. there are no unacceptable impacts on the utility and enjoyment of public rights of way. | <p>Policy C8 is in general conformity with SS1 <i>Presumption in favour of sustainable development</i>, RA6 <i>Rural economy</i>, MT1 <i>Traffic management, highway safety and promoting active travel</i> and SD1 <i>Sustainable design and energy efficiency</i>. It adds local detail by identifying issues of concern relevant to the Neighbourhood Area and addressing these within a single policy.</p> |
| <p>Policy C9: Community facilities</p> <p>Existing community facilities in Clehonger will be retained in</p> | <p>Policy C9 is in general conformity with strategic policy SC1 <i>Social and community facilities</i>. It adds local detail in respect of community facilities in the Neighbourhood Area, the support to be given to</p> |

| NDP policy | General conformity with Herefordshire Local Plan Core Strategy |
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| <p>accordance with Herefordshire Local Plan Core Strategy policy SC1. Development proposals for the enhancement of community facilities and for new provision will be supported. Diversification proposals which can be shown to enable or increase the viability of existing and proposed services and facilities will be encouraged. Proposals should take account of the potential for the co-location of services in achieving viability.</p> | <p>diversification proposals and the identification of specific facilities to be retained in accordance with the strategic policy.</p> |
| <p>Policy C10: Clehonger playing field</p> <p>Proposals that would result in the loss of open space, sport and recreational land and buildings at Clehonger playing field as shown on Plan 4 will not be permitted unless:</p> <ol style="list-style-type: none"> 1. it can be satisfactorily demonstrated that the open space, land or buildings concerned are surplus to requirements, or 2. that the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, taking into account accessibility by foot, cycle and public transport, or 3. the development is for alternative sports or recreational provision, the benefits of which clearly outweigh the loss. | <p>Policy C10 is in general conformity with strategic policy OS2 <i>Meeting open space, sports and recreation needs</i>. It adds local detail by identifying Clehonger playing field as an open space facility subject to this approach.</p> |
| <p>Policy C11: Hereford bypass</p> <p>Proposals for the Hereford bypass within the Neighbourhood Area should:</p> <ol style="list-style-type: none"> 1. give great weight to conserving designated heritage assets including those at Belmont Abbey in accordance with policy C5; and 2. minimise impact on landscape character and visual amenity through scheme routing and design including appropriate use of cuttings, embankments and bunding; and 3. incorporate landscaping proposals using native species to provide effective visual screening and noise reduction; and 4. specify road surface materials designed to reduce traffic noise; | <p>Policy C11 is in general conformity with strategic policies SS1 <i>Presumption in favour of sustainable development</i>, SS4 <i>Movement and transportation</i>, MT1 <i>Traffic management, highway safety and promoting active travel</i>, SC1 <i>Social and community facilities</i> and LD3 <i>Green infrastructure</i>. It identifies particular aspects of the detailed design of the bypass scheme, relevant to the Neighbourhood Area, for consideration at planning application stage.</p> |

| NDP policy | General conformity with Herefordshire Local Plan Core Strategy |
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| <p>and</p> <ol style="list-style-type: none"> 5. include sustainable drainage, storage and attenuation proposals to eliminate surface water run-off onto adjacent land and to avoid the risk of pollution; and 6. include lighting only as necessary for highway safety purposes, with light spillage kept to a minimum to reduce impact on amenity, wildlife and the character of the area; and 7. where existing highways and public rights of way are affected provide for continued connections of equivalent or better convenience and utility, and improve provision for walking, cycling and horse riding where opportunities arise; and 8. provide for wildlife where movement corridors are affected. | |

6. EU OBLIGATIONS

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

Table 4: EU obligations

| EU Obligation | Compatibility of the Clehonger NDP |
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| Strategic Environmental Assessment (SEA) Directive | <p>Strategic environmental assessment of the Clehonger NDP has been undertaken by Herefordshire Council. An initial screening opinion in October 2014 concluded that the NDP would require further assessment for the purposes of Strategic Environmental Assessment. A Scoping Report was prepared in June 2015 and published for consultation. Subsequently, an SEA of the draft Plan was undertaken in June 2019 and the resultant Environmental Report was published for consultation alongside the draft Plan.</p> <p>The Environmental Report concludes that the NDP is in general conformity with both national planning policy contained in the NPPF and strategic policies set within the Herefordshire Local Plan (Core Strategy). None of the NDP policies were considered to be in direct conflict with or propose greater levels of growth and development than strategic policies contained in the Local Plan (Core Strategy), which themselves have undergone a full Sustainability Appraisal. The cumulative effect of the NDP policies will contribute to the SEA objectives.</p> <p>Minor amendments to the draft Plan following regulation 14 consultation were assessed in a further Environmental Report (November 2019). No policies needed to be re-screened. The above conclusions were re-affirmed.</p> <p>The NDP has been prepared in conjunction with a formal process of environmental appraisal in accordance with the SEA Directive, whose requirements are considered to have been met.</p> |
| Habitats Directive | <p>A process of assessment of the Clehonger NDP pursuant to the Habitats Directive has been undertaken by Herefordshire Council. Initial screening in October 2014 found that the Neighbourhood Area was within the hydrological catchment of the River Wye (including River Lugg) Special Area of Conservation (SAC). The initial screening concluded that the River Wye SAC would need to be taken into account in the NDP and that a full Habitats Regulation Assessment would be required.</p> |

| EU Obligation | Compatibility of the Clehonger NDP |
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| | <p>A Screening Assessment of the draft NDP was undertaken by Herefordshire Council and published in June 2019. This concluded that the draft NDP will not have a likely significant effect on the River Wye SAC, either on its own or in-combination with other neighbouring NDPs.</p> <p>Minor amendments to the draft Plan following regulation 14 consultation were assessed in a further Report dated November 2019. The Report concludes that the earlier conclusion that the NDP will not have a likely significant effect on the River Wye SAC remains valid for the submission version.</p> <p>The NDP has been prepared in conjunction with a formal screening process in accordance with the Habitats Directive, whose requirements are considered to have been met.</p> |
| Water Framework Directive | <p>The Local Plan Core Strategy (policies SD3 and SD4) requires that development proposals are considered against Water Framework Directive objectives, including that development should not undermine the achievement of water quality targets. These strategic policies are referenced within the NDP in justification to policy C4. The Water Framework Directive has been taken into account within the objectives used for the SEA of the NDP and as a source of baseline information and targets.</p> <p>The NDP is considered to be compatible with the Water Framework Directive.</p> |
| Human Rights | <p>The NDP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and County-level strategic planning policies. In accordance with established process, its preparation has included consultation with the local community and it is subject to independent examination. The policies within the Plan are considered to comply with the requirements of EU obligations in relation to Human Rights.</p> |