

## Colwall Neighbourhood Development Plan 2011 - 2031

### Basic Conditions Statement

(Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990)



**Colwall Parish Council**

With assistance from



## 1.0 Introduction

1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)<sup>1</sup> sets out that only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

*a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).*

*b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.*

*c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.*

*d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.*

*e. the making of the order (or neighbourhood 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).*

*f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.*

*g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*

1.2 This Basic Conditions Statement sets out how the Colwall NDP has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP independent Examiner.

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<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

## **2.0 Legal Requirements**

### **2.1 The Submission Plan is being submitted by a qualifying body**

This Submission Plan is being submitted by a qualifying body, namely Colwall Parish Council.

### **2.2 What is being proposed is a neighbourhood development plan**

The plan being proposed 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.

### **2.3 The proposed Neighbourhood Plan states the period for which it is to have effect**

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2011 to 2031 (the same period as the adopted Herefordshire Local Plan Core Strategy 2011 - 2031).

### **2.4 The policies do not relate to excluded development**

The Neighbourhood Plan proposal 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.

### **2.5 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.**

The Neighbourhood Plan proposal relates to the designated Colwall Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on Map 1 in the NDP.

### 3.0 Basic Conditions

#### 3.1 a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan

The Colwall Neighbourhood Development Plan has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, February 2019)<sup>2</sup>.

#### 2. Achieving Sustainable Development

Paragraph 1 of the NPPF explains that '*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.*' Paragraph 7 sets out that '*The purpose of the planning system is to contribute to the achievement of sustainable development.*' The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These should be delivered through the preparation and implementation of plans (paragraph 9).

Table 1 sets out how the Colwall NDP delivers the 3 overarching Objectives:

**Table 1 Delivering Sustainable Development**

NPPF Overarching Objectives	Colwall NDP Policies and Proposals
<p><i>a) 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;</i></p>	<p>Colwall NDP recognises the area's location within the Malvern Hills AONB and policies are designed to protect the high quality environment and ensure that new development and changes are sensitive to local character. The attractive countryside and outstanding views attract many visitors and the NDP provides a supportive framework to ensure that the intrinsic character and beauty are protected so that the visitor economy can continue to prosper.</p> <p>The NDP provides detailed design guidelines to protect landscape character in the wider countryside and to ensure changes to farmsteads and agricultural buildings are undertaken sensitively</p>

<sup>2</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

	<p><b>(Policies CD5 General Design Principles for Development in the Wider Countryside, CD6 Farmsteads, CD8 New Agricultural Buildings, and Policy CD9 Poly-tunnels).</b></p> <p>The NDP recognises that Colwall includes a number of local businesses and services which help to support the sustainability of its community.</p> <p><b>Aim 10</b> is to preserve the sustainability of the area by retaining and, if possible, enhancing local services and facilities.</p> <p>This will be delivered through <b>Policy CF1 Supporting A Range of Goods and Services in the Village Centre</b> which sets out that proposals for new retail and service facilities which enhance the vitality and viability of the existing village centre will be supported, particularly where the new development would support the provision of specialist and small scale every day retail and independent shopping facilities.</p>
<p><i>b) 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</i></p>	<p>Colwall NDP recognises the importance of contributing to the social sustainability of the local community.</p> <p>The NDP identifies a settlement boundary and proposed housing sites to help deliver the housing requirement for the Parish as set out in the adopted Core Strategy. The Plan also supports development which provides the right type and size of housing to meet local needs and to support the sustainability of the local community.</p> <p><b>Aim 1</b> is to identify a settlement boundary to guide the location of new development to the most appropriate areas in the parish of Colwall.  <b>Aim 2</b> is to identify areas of land adjacent to the main settlement area where new housing development may be most appropriate in terms of landscape impact. <b>Aim 8</b> is to sustain the vitality, health and safety of the community and <b>Aim 9</b> is to allow young people, disabled, elderly</p>

	<p>and infirm residents the opportunity of remaining part of the community by providing a mix of housing, including more affordable and smaller housing.</p> <p>These aims will be delivered through policies such as <b>Policy CSB1 Colwall Settlement Boundary, Policy CD3 Site 1 Old Primary School and Adjacent Land, Policy CD4 Site 2 Grovesend Farm and Policy CH1 Range and Mix of Housing.</b></p> <p><b>Aim 10</b> is to preserve the sustainability of the area by retaining and, if possible, enhancing local services and facilities. This will be delivered through <b>Policy CF1 Supporting A Range of Goods and Services in the Village Centre</b> which supports proposals for new retail and service facilities and <b>Policy CF2 Recreation Facilities and Open Spaces</b> which identifies and protects recreation areas and sports facilities and supports improvements to existing facilities.</p>
<p><i>c) <b>an environmental objective</b> - 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.</i></p>	<p>Colwall NDP has a strong emphasis on environmental sustainability which reflects its location within an AONB and the area's many built and natural heritage assets.</p> <p><b>Aim 3</b> is to preserve and enhance the landscape setting, local character, built heritage, important green spaces and natural assets of the village and wider countryside. <b>Aim 4</b> is to minimise the visual impact of new development when seen from the Malvern Hills, and to protect local views including from the village up towards the Malvern Hills and Oyster Hill. <b>Aim 5</b> is to preserve and enhance the character of the Conservation Area, and protect its setting, <b>Aim 6</b> is to provide new development which is high-quality in terms of plan, size and materials in accordance with the Malvern Hills AONB Design Guides and other relevant documents and <b>Aim 7</b> is to minimise light pollution and ensure new development is successfully integrated into the local context by appropriate landscaping where required.</p>

	<p>These aims will be delivered through a raft of very detailed design related policies which will be used to guide and determine planning applications in the area.</p> <p><b>Policy CD1 Protecting Exceptional Key Views</b> identifies and protects a number of important views in the area, and is underpinned by a detailed technical visual assessment study. <b>Policy CD2 General Design Principles for Development within Colwall Settlement Boundary</b> provides a detailed set of design principles for new development in the village and <b>Policy CD5 General Design Principles for Development in the Wider Countryside</b> sets out principles for development in the wider rural area, taking account of local landscape character. Other Policies such as <b>CD6 Farmsteads, CD8 New Agricultural Buildings, and Policy CD9 Poly-tunnels</b> will all contribute towards protecting the built and natural environment.</p> <p>The NDP also supports appropriate low carbon energy technologies as part of measures to address climate change. <b>Aim 11</b> is to support appropriate renewable energy schemes as part of Colwall's contribution towards a low carbon future and tackling climate change and this will be delivered through <b>Policy CRE1 - Renewable Energy Schemes</b> which sets out that small scale renewable energy schemes and community energy schemes will be supported in Colwall where there is no adverse impact on landscape character and built heritage.</p>
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The presumption in favour of sustainable development is explained in relation to plan making in paragraph 11:

11. Plans and decisions should apply a presumption in favour of sustainable development. For **plan-making** this means that:
- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
  - b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas<sup>5</sup>, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area<sup>6</sup>; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 6 explains that The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

Colwall neighbourhood plan area is entirely within the Malvern Hills AONB. The NDP takes a positive and balanced approach to development, seeking to meet the indicative housing target set out in the Herefordshire Local Plan Core Strategy whilst protecting areas of greatest landscape value. The approach has been to use a Landscape Sensitivity and Capacity Assessment (LSCA) to help identify potential areas around the former settlement boundary where new housing may be accommodated with the least harm to the AONB.

Paragraph 13 explains that the application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.

### **3. Plan Making**

In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address. Table 2 sets out how the Colwall NDP addresses each of these in turn.

**Table 2 Plan Making**

NPPF Plan Making	Colwall NDP
a) be prepared with the objective of contributing to the achievement of sustainable development;	The Colwall NDP has been prepared to contribute to sustainable development; Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.
b) be prepared positively, in a way that is aspirational but deliverable;	<p>The NDP has been prepared positively. The Parish Council, through the Steering Group, has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable and appropriate development.</p> <p>The design policies in the NDP set out robust and aspirational criteria which reflect Colwall's location in the Malvern Hills AONB.</p> <p>The detailed criteria have been drawn from and are underpinned by a number of detailed guidance documents prepared by the AONB Partnership and other bespoke commissioned technical studies including a Visual Study which considered exceptional key views and a Landscape Sensitivity and Capacity Assessment which has been reviewed throughout the NDP process.</p> <p>The policies have been prepared with the support and input of officers from the AONB, Herefordshire Council and local residents, many of whom have a detailed knowledge of the area and its intrinsic character and special qualities and are passionate about protecting them.</p>
c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;	All the policies have been prepared through an extensive and thorough approach to community engagement. This has led to a relatively high proportion of local people taking part in questionnaires and surveys as the Plan has moved forward through the process.

	<p>The accompanying Consultation Statement sets out the details of the extensive, wide ranging and multiple community consultation and engagement activities which have been undertaken since 2013 at all stages of the Plan's preparation. Briefly this has included:</p> <ul style="list-style-type: none"> <li>• Informal public meetings and consultation events from 2013 - 2015</li> <li>• Informal consultation on an Emerging First Draft Plan in late 2015</li> <li>• Formal Regulation 14 public consultation from 1<sup>st</sup> February 2018 until 5pm 18<sup>th</sup> March 2018.</li> </ul> <p>The Parish Council meetings related to the NDP were well attended and used to both explain the process and to listen to concerns and comments.</p> <p>Consultations were promoted using flyers and posters. The documents were placed on the NDP webpages and Survey Monkey was used to encourage residents to complete questionnaires online. Paper copies were also provided.</p> <p>The Parish Council also worked closely with local landowners and other stakeholders such as the AONB Partnership.</p> <p>At each consultation stage representations have been considered carefully and appropriate amendments to the NDP made.</p>
<p>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</p>	<p>The NDP policies and proposals have been prepared by a Steering Group on behalf of the Parish Council, with support from a planning consultant, landscape consultant, officers from the AONB and planning officers at Herefordshire Council.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>

<p>e) be accessible through the use of digital tools to assist public involvement and policy presentation; and</p>	<p>Updates and documents have been provided on the NDP website at all stages of plan preparation.</p> <p>An online survey tool, Survey Monkey, was used at Regulation 14.</p> <p>Responses by email were invited at informal and formal consultation stages.</p>
<p>f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).</p>	<p>The NDP has been amended and updated to reduce duplication with policies in the Herefordshire Local Plan Core Strategy and duplication with national policies.</p>

### The Plan Making Framework

Paragraph 18 sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies. The Colwall NDP contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Herefordshire Local Plan Core Strategy. The supporting text for the NDP policies refers to the relevant strategic policies.

### Non-strategic policies

Paragraph 29 advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies. Colwall NDP supports development in line with Local Plan Core Strategy Policy RA1 Rural housing distribution which sets out a housing growth target for the Ledbury rural housing market area of 14%, and Policy RA2 Housing in Settlements outside Hereford and the market towns, which identifies Colwall as one of the settlements which will be the main focus of proportionate housing development (Figure 4.14).

Paragraph 30 goes on to say that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

### **5. Delivering a sufficient supply of homes**

Paragraph 65 sets out that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. The Colwall NDP has been prepared in the context of Herefordshire Local Plan Core Strategy Policies RA1 and RA2 and demonstrates that the requirement of 160 dwellings (14% growth target) will be met through existing commitments, proposed housing sites and windfall development. A more detailed breakdown of the housing calculation taking into account the most up to date figures on housing commitments is provided in the NDP.

Colwall is located within a rural area. Paragraph 78 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The NDP supports this principle by guiding new development proposals to within the settlement boundary of the village.

### **6. Building a strong, competitive economy**

Paragraph 83 advises that in rural areas planning policies should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. The Colwall NDP addresses these matters through **Policy CF1 Supporting A Range of Goods and Services in the Village Centre** which sets out that proposals for new retail and service facilities which enhance the vitality and viability of the existing village centre will be supported, particularly where the new development would support the provision of specialist and small scale every day retail and independent shopping facilities.

### **8. Promoting healthy and safe communities**

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. Aim 8 of the NDP is to sustain the vitality, health and safety of the community.

The NDP includes policies which protect and encourage investment in local recreation facilities and open spaces (**Policy CF2**) and which promote cycling (**Policies CD2 and CF2**) and the actions for the parish council which set that the council will endeavour to provide pedestrian and cyclist dedicated routes connected to existing footpath and cycle networks to maximise permeability.

### **9. Promoting sustainable transport**

Paragraph 102 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. Provision of cycle storage is supported in **Policies CD2 and CF2**. Actions for the parish council include that the council will endeavour to provide pedestrian and cyclist dedicated routes connected to existing footpath and cycle networks to maximise permeability.

#### **11. Making effective use of land**

Paragraph 118 advises that planning policies should a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside; and b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production. The Colwall NDP supports habitat protection in several Policies including **Policy CD3 Site 1 Old Primary School and Adjacent Land, Policy CD4 Site 2 Grovesend Farm, and Policy CD9 Poly-tunnels**.

#### **12. Achieving well-designed places**

Paragraph 124 explains that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 125 goes on to say that 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. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. The Colwall NDP includes several detailed policies (such as Policies **CD2, CD5, CD6, CD8 and CD9**) which together promote high quality design which responds to existing character and context. All policies have been prepared with the close involvement of the local community and the AONB Partnership.

#### **14. Meeting the challenge of climate change, flooding and coastal change**

Paragraph 148 advises that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 151 goes on to set out that to help increase the use and supply of renewable and low carbon energy and heat, plans should c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers and in paragraph 152, local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning. Colwall NDP includes **Policy CE1 Renewable Energy Schemes** which sets out that small scale renewable energy schemes and community energy schemes will be supported in Colwall where there is no adverse impact on landscape character and built heritage.

#### **Planning and flood risk**

Paragraph 157 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques). **NDP Policy CD3 Site 1 Old Primary School and Adjacent Land** takes account of the fact that part of the site has a history of a high water table and the Policy sets out that development should take into account exiting surface water flooding and drainage issues associated with the site.

### **15. Conserving and enhancing the natural environment**

Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. The settlement boundary has been informed by detailed Landscape Sensitivity and Capacity Assessments undertaken and reviewed at various stages of the NDP's preparation. **NDP Policy CD2** protects and enhances local character and encourages use of locally appropriate species in planting schemes and **Policy CD5** sets out that species rich hedgerows and mature trees should be protected.

#### **Ground conditions and pollution**

Paragraph 180 sets out that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes considering such matters as noise and light pollution. Colwall **NDP Policy CD2** protects residential amenity requiring proposals to minimise any adverse impacts on local residential amenity and give careful consideration to traffic, noise, odour and light. The Policy also provides more detailed guidance related to the protection of the area's dark skies.

### **16. Conserving and enhancing the historic environment**

Paragraph 184 advises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 18 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. Colwall NDP **Policy CD2** addresses the conservation area and built heritage and **Policy CD4 Site 2 Grovesend Farm** notes the site's proximity to locally important heritage assets. A new Policy, **Policy CD7 Protecting Archaeology** has been added to the NDP on the advice of Historic England.

**3.2 b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest**

The NDP notes that there are 88 listed buildings in the Parish. **Policy CD4 Site 2 Grovesend Farm** sets out that effects on the setting of the listed buildings in close proximity to the site must be considered and **Policy CD9 Poly-tunnel developments** advises that proposals which adversely affect the setting of listed buildings, scheduled monuments, registered or unregistered historic parks and gardens or other local heritage assets will not be permitted

*[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].*

**3.3 c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area**

The Plan area includes a Conservation Area and this is referred to throughout the NDP.

*[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].*

**3.4 d. Contributes to the Achievement of Sustainable Development**

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development. This is set out in more detail in Table 1 above in relation to the economic, social and environmental objectives of the NPPF.

**3.5 e. In General Conformity with Strategic Local Planning Policy**

The Submission Neighbourhood Plan is in general conformity with strategic Local Plan policies contained in the adopted Herefordshire Local Plan Core Strategy 2011-2031. Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the Local Plan.

**Table 3 Conformity with Local Strategic Planning Policy**

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p><b>Policy CSB1 Colwall Settlement Boundary</b></p> <p>The provision of at least 70 new houses over the Plan period will be supported.</p> <p>Residential development will be permitted on site allocations and on other areas within the settlement boundary as shown on Map 5 Policies Map, where proposals are in accordance with other policies of this Plan.</p> <p>Where possible, built form should respect and continue the existing building line and not build up to the edge of the identified settlement boundary.</p>	<p><b>Policy SS2 Delivering new homes</b></p> <p>A supply of deliverable and developable land will be identified to secure the delivery of a minimum of 16,500 homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need.</p> <p>Hereford is the focus for new housing development to support its role as the main centre in the county. Outside Hereford, the main focus for new housing development will take place in the market towns of Bromyard, Kington, Ledbury, Leominster and Ross on Wye, on existing or new allocations to enhance their roles as multi-functional centres for their surrounding rural areas. In the rural areas new housing development will be acceptable where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community. In the wider rural areas new housing will be carefully controlled reflecting the need to recognise the intrinsic character and beauty of the countryside.</p>	<p>Colwall NDP area and Parish lies within the Ledbury Rural Housing Market Area. Colwall is identified in Figure 4.14 as one of the settlements which will be the main focus of proportionate housing.</p> <p>NDP Policy CB1 identifies a settlement boundary for Colwall village.</p> <p>Core Strategy Policy RA1 identifies a housing growth target of at least 14% for Ledbury rural Housing Market Area. The settlement boundary includes 2 proposed housing sites and existing commitments, and is drawn to allow some limited further windfall development taking into account the LSCA, work on potential gap sites and a Visual Study.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<p>The use of previously developed land in sustainable locations will be encouraged.</p> <p>Residential density will be determined by local character and good quality design. The target net density across the county is between 30 and 50 dwellings per hectare, although this may be less in sensitive areas.</p> <p>The broad distribution of new dwellings in the county will be a minimum of:</p> <p>Rural Settlements – see list in Place - Shaping section (Colwall is in Fig 4.14).</p> <p>More limited range of services and some limited development potential but numerous locations 5,300 new homes.</p> <p><b>Policy RA1 – Rural housing distribution</b> In Herefordshire’s rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county’s housing needs. The development of rural housing will contribute towards the wider regeneration of the rural economy. New dwellings will be broadly distributed across the county’s rural areas on the basis of seven Housing Markets Areas (HMA) and as</p>	

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity																											
	<p>illustrated in Figure 4.13. This acknowledges that different areas of Herefordshire have different housing needs and requirements. The 5,300 dwellings will be delivered throughout the rural HMAs as set out in the table below. The indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of neighbourhood development plans in the county. Local evidence and environmental factors will determine the appropriate scale of development.</p> <table border="1" data-bbox="884 772 1449 1110"> <thead> <tr> <th>Rural HMA</th> <th>Approximate number of dwellings 2011 - 2031</th> <th>Indicati</th> </tr> </thead> <tbody> <tr> <td>Bromyard</td> <td>364</td> <td>15</td> </tr> <tr> <td>Golden Valley</td> <td>304</td> <td>12</td> </tr> <tr> <td>Hereford</td> <td>1870</td> <td>18</td> </tr> <tr> <td>Kington</td> <td>317</td> <td>12</td> </tr> <tr> <td>Ledbury</td> <td>565</td> <td>14</td> </tr> <tr> <td>Leominster</td> <td>730</td> <td>14</td> </tr> <tr> <td>Ross-on-Wye</td> <td>1150</td> <td>14</td> </tr> <tr> <td><b>Total</b></td> <td><b>5300</b></td> <td></td> </tr> </tbody> </table> <p>(Colwall is in the Ledbury rural HMA with a growth target of 14% across the HMA)</p> <p><b>Policy RA2 – Housing in settlements outside Hereford and the market towns.</b></p>	Rural HMA	Approximate number of dwellings 2011 - 2031	Indicati	Bromyard	364	15	Golden Valley	304	12	Hereford	1870	18	Kington	317	12	Ledbury	565	14	Leominster	730	14	Ross-on-Wye	1150	14	<b>Total</b>	<b>5300</b>		
Rural HMA	Approximate number of dwellings 2011 - 2031	Indicati																											
Bromyard	364	15																											
Golden Valley	304	12																											
Hereford	1870	18																											
Kington	317	12																											
Ledbury	565	14																											
Leominster	730	14																											
Ross-on-Wye	1150	14																											
<b>Total</b>	<b>5300</b>																												

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<p>To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned. The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.</p> <p>Housing proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> <li>1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that</li> </ol>	

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
	<p>contributes to or is essential to the social well-being of the settlement concerned;</p> <p>2. Their locations make best and full use of suitable brownfield sites wherever possible; 3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and</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>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.</p>	
<p><b>Policy CD1 Protecting Exceptional Key Views</b></p> <p>The identified Exceptional Key Views shown on Map 7 and described in the Colwall Neighbourhood Development Plan Visual Study Report, January 2019 make a highly important contribution towards Colwall's landscape character, sense of place, local distinctiveness, and visual amenity. They also contribute to the special landscape qualities of the AONB.</p>	<p><b>Policy SS6 Environmental quality and local distinctiveness</b></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</p>	<p>NDP Policy CD1 identifies a number of Exceptional Views which new development should consider.</p> <p>This is in general conformity with Core Strategy Policy SS6 which provides broad, strategic criteria requiring development to respond to the county's distinctiveness and to consider landscapes and townscapes.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>Where a development proposal lies within sight of an identified Exceptional Key View, and/or could affect it, a Landscape and Visual Impact Assessment or similar study should be carried out to demonstrate that levels of effects are acceptable, and that the scheme has been sited and designed sensitively and appropriately, reflecting, respecting, and where possible, enhancing the landscape context within which it is situated. Development proposals which have a high degree of adverse effect on one or more of the Exceptional Key Views will be refused.</p>	<p>effectiveness of those ecosystems essential to the health and wellbeing of the county's residents and its economy.</p> <p><b>Policy LD1 – Landscape and townscape</b></p> <p>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 maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.</li> </ul>	<p>In addition Core Strategy Policy LD1 requires development proposals to demonstrate how the character of the landscape and townscape has positively influenced the design. The Policy also requires development to conserve and enhance the natural, historic and scenic beauty of important landscapes and features including AONBs. Colwall lies within the Malvern Hills AONB and long ranging views are an important and significant part of the area's landscape character.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p><b>Policy CD2 General Design Principles for Development within Colwall Settlement Boundary</b></p> <p><u>Conservation area and built heritage assets</u></p> <p>1. Proposals for new development will be required to demonstrate careful consideration of any potential impacts on the setting of the conservation area and other nearby heritage assets above or underground. Proposals will be required to describe the significance of any heritage assets affected, including any contribution made by their setting. Development proposals should protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance.</p> <p><u>Protecting Local Amenity</u></p> <p>2. Proposals should minimise any adverse impacts on local residential amenity and give careful consideration to traffic, noise, odour and light.</p> <p><u>Site Layout and access design</u></p> <p>3. Access to development from the highway and site entrance points should be designed to</p>	<p><b>Policy SS6 Environmental quality and local distinctiveness</b></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.</p> <p><b>Policy LD1 – Landscape and townscape</b></p> <p>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</li> </ul>	<p>NDP Policy CD2 seeks to protect local character by requiring new development to respond to local distinctiveness. The Policy includes very detailed criteria covering a range of themes including Conservation area and built heritage assets, Protecting Local Amenity, Site Layout and access design, and Landscape Design.</p> <p>This is in general conformity with Core Strategy Policy SS6 which provides broad, strategic criteria requiring development to respond to the county's distinctiveness and to consider landscapes and townscapes.</p> <p>In addition it is in general conformity with Core Strategy Policy LD1 requires development proposals to demonstrate how the character of the landscape and townscape has positively influenced the design and to conserve and enhance AONBs and Policy SD1 which supports sustainable design.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>reflect the rural village context and character (see Traffic in Villages and Policy CD2) and should meet the requirements in Herefordshire Council's design guidance<sup>17</sup> or subsequent document. Schemes should aim to integrate into the existing streetscape and proposals for gated communities which constrain permeability will be resisted.</p> <p><u>Landscape Design</u></p> <p>Development proposals in Colwall are required to respond positively to the following landscape design principles:</p> <p>4. Development should incorporate landscaping proposals which protect and enhance the distinctive local landscape character.</p> <p>5. Use of hard surfacing, kerbs, tarmac and paving should be kept to a minimum; materials such as loose gravel or crushed local stone are preferred.</p> <p>6. Landscaping proposals should use species characteristic of the village including fruit trees.</p> <p>7. Boundary treatments should be sensitive to the local character and should use low brick walls or hedges to enclose front gardens. Development should retain and enhance existing boundary hedges and hedgerow trees,</p>	<p>the area's character and by enabling appropriate uses, design and management;</p> <ul style="list-style-type: none"> <li>- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings;</li> <li>and maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.</li> </ul> <p><b>Policy SD1 – Sustainable design and energy efficiency</b></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>- 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</li> </ul>	

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>between and around plots. Overall there should be a transition from more suburban areas to those on the fringes where more rurally appropriate species such as thorn should be used. Close boarded panel fencing erodes the local character and should be avoided.</p> <p>8. Enhancing appropriate tree cover alongside roadsides is encouraged, but sight lines should be retained.</p> <p>9. Buildings should be sited within plots with capacity to allow the growth of vegetation, including native specimen trees, around the development.</p> <p>10. External LED lighting should be warm white (3000k or below) and kept to a minimum in all development to minimise impacts on dark skies. New lighting should minimise light spillage into adjoining areas and the sky. Schemes should demonstrate good practice, such as using low energy bulbs, directing lighting downwards, keeping lighting low to the ground and fitting hoods or shields to minimise light spillage. Motion sensors should be used to avoid permanently lit outside lights.</p> <p>11. New open spaces should be designed to link to the existing settlement pattern and the open countryside.</p>	<p>diversity and character of the area including, where appropriate, through innovative design;</p> <ul style="list-style-type: none"> <li>- safeguard residential amenity for existing and proposed residents;</li> <li>- ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;</li> <li>- where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective; ensure that distinctive features of existing buildings and their setting are safeguarded and where appropriate, restored;</li> <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 infrastructure;</li> <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</li> </ul>	

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>12. Development will be required to demonstrate how the design has considered the visual impact of the pattern of buildings on the identified Exceptional Key Views as set in Policy CD2 and Map 7.</p> <p><u>Building Design</u></p> <p>Development should be of high design quality which responds positively to the following building design principles:</p> <p>13. Housing schemes should respond to the plot size and pattern of development which is locally characteristic, with particular reference to neighbouring properties. However, on larger schemes (over 5 houses) a range of house types and sizes will be required in line with Policy CH1.</p> <p>14. Where groups of houses are proposed variety should be introduced in size, style and plan form. High quality design should continue into the future the characteristic mix of buildings from successive decades. Contemporary designs will be acceptable where they are of exceptional quality and where they clearly demonstrate that they are appropriate to their context.</p> <p>15. Uniform standard house types which do not respond to local character in their design will not be acceptable. Development should</p>	<p>consider the incorporation of fire safety measures, particularly;</p> <ul style="list-style-type: none"> <li>- ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development; and</li> <li>- utilise sustainable construction methods which minimise the use of non-renewable resources and maximise the use of recycled and sustainably sourced materials;</li> </ul> <p>All planning applications including material changes of use, will be expected to demonstrate how the above design and energy efficiency considerations have been factored into the proposal from the outset.</p>	

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>have an appropriate individual identity that makes a positive contribution to local distinctiveness.</p> <p>16. Particularly high standards should be reflected in the design, detailing and finishes on all elevations, not only those to the front.</p> <p>17. Flat or nearly flat roofs will only be supported where they are appropriate in design terms, taking into account the local context and character. Where flat roofs are considered acceptable they should be green / living roofs provided as part of Green Infrastructure.</p> <p>18. Building materials should be locally appropriate. Use of traditional vernacular materials, including locally reclaimed and sourced materials is preferred. However contemporary materials will also be acceptable where it can be demonstrated that their properties (including colour, texture, reflectivity etc) are complementary to the area. Traditional materials which are likely to be acceptable include red brick, limestone and Malvern stone or other appropriate stone such as Forest of Dean quarried stone within the village of Colwall. Render in muted shades of white, yellow or cream may also be acceptable. Red brick must reflect the characteristic softer appearance of handmade brick; hard modern red brick which does not</p>		

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>weather easily, together with bright white mortars, are not acceptable. Roof tiles should be plain clay tiles or of Welsh slate or other locally appropriate roofing materials.</p> <p>19. Design details should be locally appropriate. Dependent on the development this may include features such as bay windows, chimney stacks, ornamentation on roof tiles and a mix of materials on elevations. Window frames should normally be timber.</p> <p>20. Alterations, extensions and conversions are required to respect the architectural integrity, character and scale of the original building and demonstrate a strong sense of unity. Decorative details should reflect those on the original building. The materials, roof style and pitch of an extension should normally reflect the original roof. Porches and porch hoods should normally be of an appropriate scale and not dominate the original building. Openings should be in proportion to existing openings and sensitively located.</p> <p>21. Conservatories should respect the style of the original building and not dominate it. Timber or steel are considered to be most appropriate for conservatory frames.</p> <p>22. Sheds, garages and other outbuildings should not compete, in terms of scale,</p>		

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>decoration and design with the main building. Materials should complement the original building.</p> <p>23. New dwellings in gardens will only be acceptable where it can be demonstrated that there is no negative impact on the character of the existing building or settlement pattern.</p> <p>24. Car parking should be fully accommodated within the site and should not use the adopted highway. Car parking areas should not dominate the street scene, should be adequately screened by trees or landscaping and should include electric vehicle charging points.</p> <p>25. Development will be required to include provision for secure cycle storage to Herefordshire Council's design guidance standards and well-designed and integrated bin storage facilities.</p> <p>26. Large buildings and structures, such as industrial, commercial and farm buildings should be successfully integrated into the landscape. Techniques to achieve this include sensitive siting, breaking up rooflines into smaller elements, providing detail and visual interest on larger elevations through imaginative use of local materials and the appropriate use of locally characteristic landscaping. Finishes to elevation and roofs should normally be non-</p>		

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>reflective, recessive and complementary to the local landscape setting.                      27. The sensitive restoration of historic farmsteads and buildings is encouraged (see Policy CD6). Historically or architecturally important features should be retained in situ and integrated within the proposed alteration or conversion. The provision of new detailing or decoration on simple traditional buildings is discouraged.</p>		
<p><b>Policy CD3 Site 1 Former Primary School and Adjacent Land (Target - approximately 9 houses)</b></p> <p>Site 1 Former Primary School and Adjacent Land as shown on the extract from Map 5 Policies Map below is considered suitable for new housing development.</p> <p><u>Highway and Access Design</u></p> <p>1. Access to the site is from Walwyn Road and across the common land for which agreement will be required from the Malvern Hills Conservators. The design of this length of the access shall minimise the physical and visual impact on the common land.</p> <p><u>Landscape Design</u></p>	<p><b>See above:</b>  <b>Policy SS2 - Delivering new homes</b>  <b>Policy RA1 – Rural housing distribution</b>  <b>Policy RA2 – Housing in settlements outside Hereford and the market towns.</b>  <b>Policy SS6 Environmental quality and local distinctiveness</b>  <b>Policy LD1 – Landscape and townscape</b></p> <p><b>Policy SS4 - Movement and transportation</b>                      New developments should be designed and located to minimise the impacts on the transport network; ensuring that journey times and the efficient and safe operation of the network are not detrimentally impacted. Furthermore, where practicable, development proposals should be accessible by and facilitate a genuine choice of modes of travel including walking, cycling and public transport.</p> <p>....</p>	<p>NDP Policy CD3 identifies a site for new housing development taking into account the LSCA studies and site constraints. Criteria are provided to guide new development and ensure that designs are sensitive to the context and setting.</p> <p>This is in general conformity with Core Strategy Policy SS2 which sets out the Herefordshire housing requirement and RA1 which sets out the housing growth targets for rural housing areas.</p> <p>Criteria consider access and highway design in line with Policy SS4 which requires new developments to be designed and located to minimise the impacts on the transport network.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>Development proposals are required to respond positively to the following landscape design principles:</p> <p>2. In order to reduce potential adverse effects on landscape character and visual amenity, the siting of new built form will be restricted to the area covered by the former school buildings (i.e. excluding the temporary accommodation area) and the grassed field to the north, west of the existing hedgerow. The land to the east may be used for gardens and open space; car parking will only be permitted on this part of the area if it can be screened from views from the Hills. The eastern boundary of the area forms the new settlement boundary, and should be a new native hedgerow or tree belt.</p> <p>3. The landscape scheme should demonstrate that it has taken into account views from key viewpoints within and around the village and on the Malvern Hills, in order to ensure that the development integrates appropriately into, and enhances, its surrounding character. The area is identified as being within sight of an 'Important View Out of the Village' towards the Hills on Map 7 which should be retained and enhanced. Particular attention should be paid to the selection of materials and colours for roofscapes which</p>		<p>The Policy is also in general conformity with Policy RA2 which provides general criteria for residential development in rural areas.</p> <p>Broad principles to protect environmental quality, local distinctiveness are set out in Policy SS6 and LD1 protects landscape and townscape. The site allocation provides more detail related to the site and its context.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>would be visible in high-level views from the Hills.</p> <p>4. Important landscape features and ecological habitats must be retained, protected and enhanced, and managed to ensure their future health.</p> <p>5. New landscape features should be designed and managed to ensure that the development integrates appropriately into its surrounding context. All new planting should comprise appropriate plant species that reflect local character and distinctiveness and enhance biodiversity. Tree cover should be extended where appropriate.</p> <p>6. The area’s southern boundary is an old hedgerow along a track: this is a locally-important landscape feature which must be retained, protected and managed.</p> <p><u>Building Design</u></p> <p>7. New buildings should respond positively to the distinctive character of the local area. Innovative designs are encouraged which integrate the needs of sustainability, energy use, and respect for landscape character and visual amenity.</p>		

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>8. Development should take into account exiting surface water flooding and drainage issues associated with the site.</p>		
<p><b>Policy CD4 Site 2 Grovesend Farm</b> (Approximately 37 houses)</p> <p>Site 2 Grovesend Farm as shown on the extract from Map 5 Policies Map below is considered suitable for new housing development.</p> <p><u>Highway and Access Design</u></p> <ol style="list-style-type: none"> <li>1. Access to the site is from Old Church Road on the northern boundary of the site.</li> <li>2. In addition, due to the lack of existing pedestrian and cyclist facilities, a safe and surfaced (suitable for use all year) pedestrian and cyclist link or links to the amenities and facilities of Colwall Village should be provided.</li> <li>3. Locally important vegetation along Old Church Road including mature trees should be retained and protected. If loss is unavoidable, landscaping schemes should replace with the same or similar species - see 8 below.</li> </ol> <p><u>Landscape Design</u></p>	<p><b>See above:</b>  <b>Policy SS2 - Delivering new homes</b>  <b>Policy SS4 - Movement and transportation</b>  <b>Policy RA1 – Rural housing distribution</b>  <b>Policy RA2 – Housing in settlements outside Hereford and the market towns.</b>  <b>Policy H3 - Ensuring an appropriate range and mix of housing</b>  <b>Policy SS6 Environmental quality and local distinctiveness</b>  <b>Policy LD1 – Landscape and townscape</b></p>	<p>NDP Policy CD4 identifies a site for new housing development taking into account the LSCA studies and site constraints. Criteria are provided to guide new development and ensure that designs are sensitive to the context and setting.</p> <p>This is in general conformity with Core Strategy Policy SS2 which sets out the Herefordshire housing requirement.</p> <p>Criteria consider highway and access design in line with Policy SS4 which requires new developments to be designed and located to minimise the impacts on the transport network and to be accessible by and facilitate a genuine choice of modes of travel including walking, cycling and public transport.</p> <p>The Policy is also in general conformity with Policy RA1 which sets out the housing growth targets for rural housing areas and Policy RA2 which provides general criteria for residential development in rural areas.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>Development proposals are required to respond positively to the following landscape design principles:</p> <p>4. The site lies within a Conservation Area. In order to reduce potential adverse effects on the historic landscape character and visual amenity of the designated area, the density, siting, layout and design of new built form must respect and reflect the existing local settlement pattern, vernacular and sense of place.</p> <p>5. The scheme should demonstrate that it has taken into account views from key viewpoints within and around the village and on the Malvern Hills, in order to ensure that the development integrates appropriately into, and enhances, its surrounding character and ‘natural beauty’. Particular attention should be paid to the selection of materials and colours for roofscapes which would be visible in high-level views from the Hills. The site forms an integral part of the setting of several ‘Important Views into and out of the Village’, which should be retained and enhanced wherever possible.</p> <p>6. The development should protect existing, and deliver new, green infrastructure assets and functions, and ensure integration with, and connection to, the surrounding green</p>		<p>Broad principles to protect environmental quality, local distinctiveness are set out in Policy SS6 and LD1 protects landscape and townscape. The site allocation provides more detail related to the site and its context.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>infrastructure network. A ‘green corridor’ must be provided from the new road through Site 2 to the greenspace (Area 12B (1) on Map 3) to the west, allowing access for pedestrians and maintenance vehicles.</p> <p>7. Ecological habitats must be retained, protected and enhanced, and managed to ensure their future health. Where possible development should restore areas of traditional orchards that used to occupy the site and in areas along the site boundary.</p> <p>8. New landscape features should be designed and managed to ensure that the development integrates appropriately into its surrounding context. All new planting should comprise appropriate plant species that reflect local character and distinctiveness and enhance biodiversity. Tree cover should be extended where appropriate.</p> <p>9. The northern side of the development will form a new frontage to Old Church Road, and so must respect, and make a positive contribution to, its historic rural character. Effects on the setting of the listed buildings in close proximity to the site must be considered. Locally-important roadside trees and hedges must be retained and protected wherever possible. If loss is unavoidable, replace with same / similar.</p>		

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>10. Area 12B (2), which lies south of Area 12A, contains locally-important heritage assets and landscape features. Designs should be sensitive to the setting and context of the ice house, tramway and former orchard. A buffer zone of native trees and shrubs and secure fencing must be provided along Area 12A's southern boundary in order to protect these assets and features.</p> <p>11. The areas to the west and south of the proposed new housing, as identified on Map 5 Policies Map and the extract showing the site location plan, are protected for public open space use as part of the development scheme.</p> <p><u>Building Design</u></p> <p>12. New buildings should respond positively to the distinctive character of the local area. Innovative designs are encouraged which integrate the needs of sustainability, energy use, and respect for landscape character and visual amenity.</p>		
<p><b>Policy CD5 General Design Principles for Development in the Wider Countryside</b></p>	<p>See above:  <b>Policy SS6 Environmental quality and local distinctiveness</b>   <b>Policy RA3 Herefordshire's countryside</b></p>	<p>NDP Policy CD5 aims to protect sensitive landscape areas in the wider rural area by requiring proposals to consider landscape character. The Policy seeks to protect local landscape character by protecting local</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>Development proposals outside the settlement boundary will only be supported when they are in accordance with Herefordshire Council's Local Plan Core Strategy Rural Area Policies RA3 Herefordshire's countryside, RA4 Agricultural, forestry and rural enterprise dwellings, RA5 Re-use of rural buildings and RA6 Rural economy.</p> <p>Proposals should minimise any adverse impacts on local amenity and give careful consideration to traffic, noise, odour and light. Proposals in the wider countryside of Colwall are required to respond positively to the following design principles relevant to each local landscape character type:</p> <p><u>A: High Hills and Slopes</u></p> <ol style="list-style-type: none"> <li>1. The unsettled character of the landscape should be maintained.</li> <li>2. Buildings should not detract from, or dominate, views to and from the Malvern Hills.</li> <li>3. New buildings, alterations and conversions should creatively reflect and complement locally characteristic domestic buildings. Development should relate to the steeply</li> </ol>	<p>In rural locations outside of settlements, as to be defined in either Neighbourhood Development Plans or the Rural Areas Sites Allocations DPD, residential development will be limited to proposals which satisfy one or more of the following criteria:</p> <ol style="list-style-type: none"> <li>1. meets an agricultural or forestry need or other farm diversification enterprise for a worker to live permanently at or near their place of work and complies with Policy RA4; or</li> <li>2. accompanies and is necessary to the establishment or growth of a rural enterprise, and complies with Policy RA4; or</li> <li>3. involves the replacement of an existing dwelling (with a lawful residential use) that is comparable in size and scale with, and is located in the lawful domestic curtilage, of the existing dwelling; or</li> <li>4. would result in the sustainable re-use of a redundant or disused building(s) where it complies with Policy RA5 and leads to an enhancement of its immediate setting; or</li> <li>5. is rural exception housing in accordance with Policy H2; or</li> <li>6. is of exceptional quality and innovative design satisfying the design criteria set out in Paragraph 55 of the National Planning Policy Framework and <b>achieves</b></li> </ol>	<p>features such as mature native trees and hedgerows, and to use locally appropriate species in new planting schemes.</p> <p>This is in general conformity with Core Strategy Policy LD1 which provides broad, strategic criteria to protect landscape and townscape at a Herefordshire level.</p> <p>This Policy also provides more local detail to Core Strategy Policy RA3 which sets out the limited circumstances where development may be permitted in the wider rural area.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>sloping landform and topography by extending storeys down or up the slope.</p> <p>4. New agricultural development is not normally appropriate in this landscape. Instead alteration of existing buildings is encouraged or the sensitive replacement of a building that has become neglected and disused.</p> <p>5. Where boundaries are required a low Malvern stone wall or native species hedge may be provided.</p> <p>6. Materials should include or be complementary to the characteristic use of red brick, Malvern stone or timber framing. Malvern stone is preferred, where available or other appropriate quarried stone such as from the Forest of Dean. Materials should be non-reflective and should not impact on views.</p> <p>7. The High Hills and Slopes palette should be used to inform colour choices.</p> <p>8. Ornamentation on buildings should be limited in this landscape where simple and unadorned buildings are characteristic.</p> <p><u>B: Principal Wooded Hills</u></p> <p>9. The sparsely settled and wooded character of the landscape should be maintained. Development on ridgelines should be avoided.</p>	<p>sustainable standards of design and construction; or</p> <p>7. is a site providing for the needs of gypsies or other travellers in accordance with Policy H4.</p>	

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>10. Ancient woodland and mature trees should be retained.</p> <p>11. New development, alterations and conversions should respect the characteristic simple plan form and small scale of no more than two storeys.</p> <p>12. The scale and agricultural character of smallholdings and isolated farm buildings should be maintained and enhanced. New tracks, roads or cabling are not generally appropriate.</p> <p>13. The characteristic tall, mixed species hedgerows and the wooded character of this landscape should be maintained and enhanced by planting native tree species in gardens.</p> <p>14. Development should enhance or be complementary to the characteristic mix of local materials including timber, limestone and handmade red brick.</p> <p>15. The Principal Wooded Hills palette should be used to inform colour choices. Mellow cream/yellow colours are often appropriate for the infill on timber framed buildings.</p> <p>16. Where applicable, the dominant character of local domestic buildings, such as stone/brick plinths and external chimney breasts, should be reflected in new development.</p>		

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>17. In all areas external lighting should be kept to a minimum and only provided where required to minimise impacts on dark skies. New lighting should minimise light spillage into adjoining areas and the sky. Schemes should demonstrate good practice, such as using low energy bulbs, directing lighting downwards, keeping lighting low to the ground and fitting hoods or shields to minimise light spillage. Motion sensors should be used to avoid permanently lit outside lights (see Malvern Hills AONB Guidance on Lighting)19.</p> <p><u>C: Wooded Hills and Farmlands</u></p> <p>18. Landscaping schemes should maintain and enhance woodland, including ancient woodlands, as well as orchards and hedgerows, and use native, mixed species including oak in planting. Limestone walls are acceptable for boundary treatments.</p> <p>19. The characteristic simple plan form and small scale of many domestic buildings should be maintained.</p> <p>20. Agricultural buildings should include two or three materials where possible.</p> <p>21. Timber framing and cladding with timber boards or timber panels are encouraged. Local character should be respected by reflecting</p>		

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>local characteristics such as exterior chimney breasts, steeply pitched roofs, and brick ashlar end quoins on stone buildings.  <u>D: Principal Timbered Farmlands</u></p> <p>22. The clustered settlement pattern with unsettled land between should be maintained, and buildings should be set back from the road in their own grounds.</p> <p>23. New domestic development, alterations and conversions should respect the simple character in design, materials and massing.</p> <p>24. The Principal Timbered Farmlands palette should be used to inform colour choices.</p> <p>25. New agricultural buildings should enhance the diverse built character. Historic features such as hop kilns and timber framed barns should be retained.</p> <p>26. The characteristic mixed species hedgerows and buildings set among a backdrop of native trees including oak, hazel and birch should be maintained and enhanced. Boundaries should normally comprise thick, mixed species native hedgerows, or stone walls in the more settled areas. All mature and veteran trees should be retained, wherever possible.</p> <p>27. Development should enhance or be complementary to the characteristic mix of materials including timber, red brick and</p>		

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>limestone, for example by including a red brick chimney or a stone extension on a timber-framed building or including a stone plinth on a red brick building.</p> <p>28. Designs should respect the dominant local character by protecting and creatively enhancing local characteristics such as large exterior chimneys, bread oven projections, or steeply pitched roofs.</p>		
<p><b>Policy CD6 Farmsteads</b></p> <p>1. Development proposals are required to include assessment of the significance of the farmstead in the landscape, including identification of any important views into and out of the farmstead. New buildings should not block these views. Development proposals are required to record the character of buildings before changes occur to ensure future work can be informed by historical character and not by redevelopment works.</p> <p>2. Designs should consider the spaces and gaps between buildings (the yards and routeways), and how these relate to the group of buildings and wider landscape. The potential to reinstate missing elements that may maintain or enhance the</p>	<p><b>Policy RA5 – Re-use of rural buildings</b></p> <p>The sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, which will make a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to residential development, or is essential to the social well-being of the countryside, will be permitted where:</p> <p>1. design proposals respect the character and significance of any redundant or disused building and demonstrate that it represents the most viable option for the long term conservation and enhancement of any heritage asset affected, together with its setting;</p>	<p>NDP Policy CD6 requires changes to traditional farmsteads to be sensitive to their historic interest and traditional character.</p> <p>This is in general conformity with Core Strategy Policy RA5 which supports the re-use of rural buildings subject to criteria and Policy LD4 which requires proposals to protect, conserve, and where possible enhance heritage assets and their settings.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>character and significance of the group should be considered.</p> <p>3. Development will be required to use materials of appropriate quality such as traditional building materials and / or salvage materials from appropriate sources. Where new materials are introduced to a historic farm building, they should match, or complement existing materials in colour, size and shape. The use of contrasting materials will generally be inappropriate. The colour palette appropriate to the landscape area within which the development is sited should be used to inform colour choice</p> <p>4. Shelterbelts should be sited to protect and mitigate against the effects of cold winds, where these are acceptable in landscape terms.</p> <p>5. Site layout, building design and materials must be used to help minimise fuel costs and reduce carbon emissions at source. South-facing frontages with the longest face within 30 degrees of south – ideally facing south-east – can often be achieved, as many historic farmsteads tended to face south to maximise the sun.</p> <p>6. Consideration should be given to the potential for micro-generation, combining available technologies. It may also be appropriate to deliver building-integrated</p>	<p>2. design proposals make adequate provision for protected and priority species and associated habitats;</p> <p>3. the proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts and;</p> <p>4. the buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and</p> <p>5. the building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting.</p> <p>Any planning permissions granted pursuant to this policy will be subject to a condition removing permitted development rights for future alterations, extensions and other developments.</p> <p><b>Policy LD4 – Historic environment and heritage assets</b></p>	

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>and free-standing technologies including solar and water power, use of biomass crops, geo-thermal sources and air-source heating and cooling.</p> <p>7. New development within a farmstead must consider where new buildings can fit sympathetically in relation to the characteristic plan type.</p> <p>8. Where proposals include alterations, conversions and extensions of existing farm buildings the separate characters of domestic and working buildings should be retained. Working buildings have a simpler form and fewer openings (particularly windows, although there may be ventilation holes). Agricultural character should be retained and decorative elements should not be introduced; these erode the functional and simple character of buildings while introducing suburbanising or residential elements.</p> <p>9. Drains and gutters should be dark, discrete and minimal, unless traditional colours associated with the estates or local area are characteristic.</p> <p>10. Creation of new openings should be avoided. The use of roof lights must be minimised; where used they should be positioned on the least sensitive roof slopes</p>	<p>Development proposals affecting heritage assets and the wider historic environment should:</p> <ol style="list-style-type: none"> <li>1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible;</li> <li>2. where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;</li> <li>3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;</li> <li>4. record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and</li> <li>5. where appropriate, improve the understanding of and public access to the heritage asset.</li> </ol> <p>The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should</p>	

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<p>in terms of views to the farmstead. Steel framed roof lights set flush to the plane of the roof are often most appropriate.</p> <p>11. When converting farm buildings, particularly to residential use, private areas such as gardens need to be carefully sited and contained, particularly in relation to public views and the surrounding landscape. Landscaping / planting schemes should be appropriate and informed by native and locally characteristic species. This will help prevent residential or suburbanising features from being introduced into the landscape and will also ensure privacy.</p> <p>12. There is often no hard boundary definition between farm buildings and the landscape. Where this is the case new buildings and extensions should follow this characteristic.</p>	<p>emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p>	
<p><b>Policy CD7 Protecting Archaeology</b></p> <p>New development must take full account of known surface and subsurface archaeology and ensure unknown and potentially significant deposits are identified and appropriately considered during development after consultation with the Herefordshire Historic Environment Record (HER).</p>	<p><b>Policy LD4 – Historic environment and heritage assets</b></p> <p>Development proposals affecting heritage assets and the wider historic environment should:</p> <p>1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and</p>	<p>NDP Policy CD7 protects local archaeology.</p> <p>This is in general conformity with Core Strategy Policy LD4 – Historic environment and heritage assets which sets out that development proposals affecting heritage assets and the wider historic environment should protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance</p>

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<p>Lack of current evidence of subsurface archaeology must not be taken as proof of absence.</p>	<p>sympathetic design, in particular emphasising the original form and function where possible;                  2. where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;                  3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;                  4. record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and                  5. where appropriate, improve the understanding of and public access to the heritage asset.                  The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p>	<p>through appropriate management, uses and sympathetic design, in particular emphasising the original form and function and to record. Proposals should also advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible.</p>
<p><b>Policy CD8 New Agricultural Buildings</b>                   1. Development proposals should give careful</p>	<p>See above:  <b>Policy SS6 Environmental quality and local distinctiveness</b>  <b>Policy LD1 – Landscape and townscape</b></p>	<p>NDP Policy CD8 sets out design criteria for new agricultural buildings in the rural area.                   This is in general conformity with Core Strategy Policy SS6 which provides broad,</p>

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<p>consideration to noise, odour and light, which might be detrimental to the enjoyment of the area by neighbouring residents.</p> <p>2. Wherever possible new agricultural buildings should be appropriately located in or adjacent to existing farmsteads / other farm buildings. In this case, they must not dominate the existing farmstead; instead, respect for the existing farmstead plan type must always be maintained.</p> <p>3. The style, scale, massing and siting of any new building must respect and be complementary to local landscape character and should not cause significant adverse effects on visual to ensure new buildings reflect other farm buildings and do not dominate the group, and so erode the group's contribution to landscape character.</p> <p>4. The visual impact of a larger building should be limited by the use of a series of shorter span portal frames to reduce elevations and create a lower roof height than a single span roof.</p> <p>5. Consideration should be given to constructing two smaller buildings rather than one large building, particularly where the topography is steeply sloping and there is limited space for development.</p> <p>6. The scale and mass of larger buildings should be broken up by setting back or</p>		<p>strategic criteria requiring development to respond to the county's distinctiveness and to consider landscapes and townscapes and with Policy LD1 which requires proposals to areas; conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, through the protection of the area's character and by enabling appropriate uses, design and management.</p>

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<p>projecting some sections of the building or by stepping the roofline. Overhanging eaves are encouraged to create a shadow line, making buildings appear smaller than they are.</p> <p>7. When building on sloping ground, buildings should be constructed on lower rather than higher slopes, and on a break in the slope. This reduces both the visual impact and the need for earth movements and alterations in land form.</p> <p>8. Landscaping schemes should include a backdrop of mature trees or hills to reduce the building's visual significant adverse effects on visual amenity.</p> <p>9. Traditional materials such as stone, timber and traditional brick are characteristic in the landscape and must be used wherever possible. Where the use of traditional materials is not economic it is important to ensure any new materials are appropriate for the local landscape.</p> <p>10. Non-reflective materials or matt paints must be used to reduce the visual impact of agricultural buildings in the landscape. Colours should be informed by the appropriate colour palette, including adjoining buildings, and should help a new building to integrate rather than to stand out in the environment. Although farmhouses are sometimes painted</p>		

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<p>white it is generally not appropriate to paint agricultural buildings white.</p> <p>11. On new agricultural buildings, the use of many materials or colours on one building has a negative visual impact, affecting the unity of the building. Similarly, the use of one type of material or colour creates the illusion of a larger building: a mix of two or three different materials and complementary colours is usually preferable.</p> <p>12. Where new agricultural buildings comprise two different courses, concrete blocks on lower courses should be rendered or painted an appropriate colour to blend with surrounding buildings (generally warm but muted, earthy tones). Pre-cast concrete constructions can be dyed an appropriate colour to match the stone on surrounding buildings.</p> <p>13. When different materials are used on the same building they should not be proportioned evenly: using different proportions of colours and materials will further reduce the apparent size of buildings in the landscape.</p> <p>14. Using darker colours on roofs than on walls makes a building appear smaller. Dark roofs, however, may increase heat absorption and would require additional ventilation for housing livestock. An exception to this</p>		

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<p>is if a building has to be located against a skyline; it would then be more appropriate to use a lighter colour for roofing, which would blend more with the colour of the sky.</p> <p>15. Use of timber boarding is encouraged as it provides excellent natural ventilation for new agricultural buildings and it may be possible to source this locally.</p>		
<p><b>Policy CD9 Poly-tunnels</b></p> <p>1. Any proposals for new poly-tunnels which require planning consent will be required to take into consideration any adverse impact on locally and nationally significant landscapes, views and habitats and to demonstrate provision of suitable measures for mitigation.</p> <p>2. Light pollution should be minimised ideally through no new lighting. If lighting is essential it should be appropriate, unobtrusive and energy efficient.</p> <p>3. Development proposals should avoid, mitigate or offset any impacts on protected species and habitats and the creation, restoration and enhancement of local habitats will be encouraged as part of landscaping schemes.</p> <p>4. Poly-tunnels will only be supported in fields and on agricultural holdings which are not highly visible from the Malvern Hills and other</p>	<p>See above:</p> <p><b>Policy SS6 Environmental quality and local distinctiveness</b></p> <p><b>Policy LD1 – Landscape and townscape</b></p>	<p>NDP Policy CD9 sets out design criteria for new poly tunnels in the rural area.</p> <p>This is in general conformity with Core Strategy Policy SS6 which provides broad, strategic criteria requiring development to respond to the county's distinctiveness and to consider landscapes and townscapes and with Policy LD1 which requires proposals to areas; conserve and enhance the natural, historic and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, through the protection of the area's character and by enabling appropriate uses, design and management.</p>

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<p>key view points in the plan area and which would not cause significant adverse effects on local landscape character and visual amenity. Landscaping schemes to mitigate the effect of poly tunnel development must be appropriate to local landscape character.</p> <p>5. Poly-tunnel developments that adversely affect the setting of listed buildings, scheduled monuments, registered or unregistered historic parks and gardens or other local heritage assets will not be permitted.</p> <p>6. Poly-tunnels should be sited so that they do not have an unacceptable adverse impact on the amenity of residents of nearby dwellings.</p> <p>7. Applicants will be required to demonstrate that the vehicular means of access and local highway network (in terms of design and capacity) are adequate to cater for increases in traffic generation in terms of numbers and types of vehicles.</p> <p>8. Poly-tunnels will not be permitted on sites within the fluvial floodplain i.e. Flood Zone 3.</p>		
<p><b>Policy CH1 Range and Mix of Housing</b></p> <p>Residential development should contribute towards a range and mix of housing to support balanced and inclusive communities in Colwall. In particular, developers will be expected to:</p>	<p><b>Policy H3 – Ensuring an appropriate range and mix of housing</b></p> <p>Residential developments should provide a range and mix of housing units which can contribute to the creation of balanced and</p>	<p>NDP Policy CH1 sets out the types of housing which should be provided in the NDP area, taking account of local need.</p> <p>This is in general conformity with Core Strategy Policy H3 which requires</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p>1. Provide a range of house types and sizes to meet the needs of all households, including younger single people;</p> <p>2. Provide housing capable of being adapted for people in the community with additional needs; and</p> <p>3. Provide housing capable of meeting the specific needs of the elderly population by:</p> <ul style="list-style-type: none"> <li>• providing specialist accommodation for older people in suitable locations;</li> <li>• ensuring non-specialist new housing is built to take account of the changing needs of an ageing population;</li> <li>• ensuring developments contain a range of house types, including where appropriate, bungalow accommodation</li> </ul> <p>The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes and should be used to inform the proposed housing mix for each scheme.</p> <p>Self-build schemes will be encouraged.</p>	<p>inclusive communities. In particular, on larger housing sites of more than 50 dwellings developers will be expected to:</p> <ol style="list-style-type: none"> <li>1. provide a range of house types and sizes to meet the needs of all households, including younger single people;</li> <li>2. provide housing capable of being adapted for people in the community with additional needs; and</li> <li>3. provide housing capable of meeting the specific needs of the elderly population by: <ul style="list-style-type: none"> <li>- providing specialist accommodation for older people in suitable locations;</li> <li>- ensuring that non-specialist new housing is built to take account of the changing needs of an ageing population;</li> <li>- ensuring that developments contain a range of house types, including where appropriate, bungalow accommodation.</li> </ul> </li> </ol> <p>The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes.</p>	<p>development to provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities.</p>

Colwall NDP Policies	Herefordshire Local Plan Core Strategy Policies	General Conformity
<p><b>Policy CF1 Supporting A Range of Goods and Services in the Village Centre</b></p> <p>Proposals for new retail and service facilities which enhance the vitality and viability of the existing village centre will be supported, particularly where the new development would support the provision of specialist and small scale every day retail and independent shopping facilities.</p> <p>Proposals for new retail and service facilities must:</p> <ol style="list-style-type: none"> <li>1. Be located in a sustainable location with good accessibility to public transport facilities; and</li> <li>2. Be of a high quality of design which responds to the special qualities and context of the site; and</li> <li>3. Contribute positively to the local landscape character.</li> </ol> <p>Changes of use of local retail premises to mixed offices and residential accommodation are considered acceptable, but loss of retail premises to wholly residential use will be resisted.</p> <p>Where proposals are for change of use to residential use, applicants must demonstrate</p>	<p><b>Policy SC1 – Social and community facilities</b></p> <p>Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p> <p>New development that creates a need for additional social and community facilities that cannot be met through existing social facilities - will be expected to meet the additional requirements through new, or extension of existing, provision or by developer contributions which meet the relevant tests of paragraph 204 of the NPPF .</p> <p>Proposals involving the provision or expansion of social and community facilities will be expected to provide publicly accessible toilets (including facilities for disabled people and baby changing).</p> <p>Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be</p>	<p>NDP Policy CF1 protects the range of services provided in the village centre and encourages investment in new retail and service facilities subject to criteria.</p> <p>This is general conformity with Core Strategy Policy SC1 which supports development proposals which protect, retain or enhance existing social and community infrastructure.</p>

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<p>that all possible options for retaining local shops and services, including integrated provision, have been explored.</p>	<p>provided to meet the needs of the community affected; or it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities must be equivalent to those they replace, in terms of size, quality and accessibility.</p> <p>The provision or improvement of higher education facilities and the continuing enhancement of existing, or provision of new, training and skills facilities will be actively promoted.</p>	
<p><b>Policy CF2 Recreation Facilities and Open Spaces</b></p> <p>Open Spaces, existing recreation areas and sports facilities as shown on Map 5 Policies Map, and Map extracts in Table 2, are protected as public open spaces.</p> <p>Development of existing open space, sports and recreation buildings and land will not be permitted unless an assessment has been undertaken which has clearly demonstrated they are surplus, the loss resulting from the proposed development would be replaced by equivalent or better provision in quantity and</p>	<p><b>Policy SC1 – Social and community facilities – as above.</b></p> <p><b>Policy OS1 - Requirement for open space, sports and recreation facilities</b> The provision of appropriate open space, sports and recreation facilities will arise in the following proposals for planning applications:</p> <ol style="list-style-type: none"> <li>1. all new residential dwellings; or</li> <li>2. retail and employment proposals where there is need to provide informal areas of amenity greenspace for the use of employees and visitors; and</li> <li>3. residential institutions, student accommodation, assembly and leisure, hotels or hostels.</li> </ol>	<p>NDP Policy CF2 identifies local recreational and sports facilities for protection and supports investment in new provision.</p> <p>This is general conformity with Core Strategy Policy SC1 which supports development proposals which protect, retain or enhance existing social and community infrastructure. It is also in general conformity with Policy OS2 which sets out that provision for open space, sports and recreation facilities will be sought and Policy OS3 which protects areas from loss of facilities.</p>

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<p>quality in a suitable location or that the development is for alternative sports and recreation, the needs for which outweigh the loss.</p> <p>These protected recreational facilities and open spaces are:</p> <ol style="list-style-type: none"> <li>1. Colwall Green</li> <li>2. Walwyn Road Recreation Ground</li> <li>3. Colwall Cricket Club</li> <li>4. Brookmill Close</li> <li>5. Charlie Ballard Nature Reserve</li> <li>6. Walwyn Meadow</li> <li>7. Colwall Village Garden</li> <li>8. Orlin Road</li> <li>9. Downs School playing fields</li> <li>10. Allens Meadow Upper Colwall</li> </ol> <p>New development for sports and recreation facilities including pitches, club houses and changing rooms, and improvements to existing facilities, will be supported where:</p> <ol style="list-style-type: none"> <li>1. Facilities are designed in a way that is sensitive to local landscape character – see design policies in Section 6.2 above.</li> <li>2. Facilities are integrated into the landscape through tree or hedgerow planting, appropriate surfacing and boundary treatment.</li> </ol>	<p><b>Policy OS2 – Meeting open space, sports and recreation needs</b></p> <p>In order to meet the needs of the community, provision for open space, sports and recreation facilities will be sought, where appropriate, taking into account the following principles:</p> <ol style="list-style-type: none"> <li>1. any new development must be in accordance with all applicable set standards of quantity, quality and accessibility as defined; and</li> <li>2. provision of open space, sports and recreation facilities should be located onsite unless an off-site or partial off-site contribution would result in an equally beneficial enhancement to an existing open space, sports and/or recreation facility which is of benefit to the local community.</li> </ol> <p><b>Policy OS3 – Loss of open space, sports or recreation facilities</b></p> <p>In determining the appropriateness of proposals which results in the loss of an open space, sports or recreation facility, the following principles will be taken into account:</p>	

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<p>3. Development includes provision for secure cycle storage to Herefordshire Council's design guidance standards<sup>22</sup> or subsequent document.</p> <p>4. The impact of any flood lighting on the surrounding landscape is minimised. Schemes must demonstrate good practice, such as using low energy bulbs, directing lighting downwards, keeping lighting low to the ground and fitting hoods or shields to minimise light spillage.</p> <p>5. New development meets the criteria set out in paragraph 2 above in accordance with paragraph 97 of the NPPF.</p>	<p>1. clear evidence that the open space, sports or recreation facility is surplus to the applicable quantitative standard;</p> <p>2. the loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community;</p> <p>3. the loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, useability or viability of the open space, sport and recreation use, e.g. changing rooms, toilets, grandstand accommodation, assembly and function uses;</p> <p>4. the loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.</p>	
<p><b>Policy CF3 Local Green Space</b></p> <p>The area at Brookside identified on Map 5 Policies Map is allocated as a Local Green Space.</p>	<p><b>Policy SS6 - Environmental quality and local distinctiveness</b></p> <p><b>Policy LD3 – Green infrastructure</b></p> <p>- see above</p>	<p>NDP Policy CF3 identifies an area for protection as a Local Green Space.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires development proposals to be shaped through an integrated approach to planning various environmental components including the network of green infrastructure. In addition Policy LD3 – Green Infrastructure sets out that</p>

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		Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure.
<p><b>Policy CRE1 - Renewable Energy Schemes</b></p> <p>Small scale renewable energy schemes and community energy schemes will be supported in Colwall where there is no adverse impact on landscape character and built heritage.</p> <p>Solar schemes must use dull, non-reflective darker options without reflective frames / grids as these can be integrated more successfully into the landscape. The siting of solar panels should be carefully considered taking into account views of the scheme from shorter and longer distances, and from higher ground. Panels should be positioned in a simple linear or symmetrical arrangement on roofs preferably covering the whole plane of a roof. Panels should be matt black including the panel borders.</p> <p>Where roof mounted panels are likely to have a negative impact on landscape a ground level installation is preferable. The use of solar panels such as solar slates, solar glass etc as a building material is encouraged where this</p>	<p><b>Policy SD1 – Sustainable design and energy efficiency</b></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> <p>....</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 infrastructure;</li> <li>- where possible, on-site renewable energy generation should also be incorporated</li> </ul> <p><b>Policy SD2 – Renewable and low carbon energy generation</b></p> <p>Development proposals that seek to deliver renewable and low carbon energy targets will</p>	<p>NDP Policy CRE1 supports small scale renewable energy schemes and community energy schemes subject to impacts on landscape character and built heritage. The Policy provides more detail about solar panel design and sets out that new development should incorporate low carbon energy and energy efficiency technologies where this would be in keeping with local landscape character.</p> <p>This Policy is in general conformity with Core Strategy Policy SD1 which requires development proposals to incorporate sustainability measures including renewable energy and Policy SD2 which supports renewable and low carbon energy development subject to various criteria including impacts on natural and heritage assets.</p>

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<p>would be appropriate to local landscape character.</p> <p>Schemes for one or more wind turbines are not considered appropriate in Colwall and will not be supported.</p> <p>New development should incorporate low carbon energy and energy efficiency technologies where this would be in keeping with local landscape character.</p>	<p>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> <li>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.</li> </ol> <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>	

### 3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully 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).

#### **Strategic Environmental Assessment (SEA)**

To meet the 'basic conditions' which are specified by law a Neighbourhood Development Plan must be compatible with EU obligations. Furthermore, as at 9th February 2015 Regulation 15 of the 2012 Neighbourhood Planning Regulations was amended to require that when a plan is submitted to the Local Planning Authority it should include either an environmental report prepared in accordance with the applicable regulations or where it has been determined as unlikely to have significant environmental effects, a statement of reasons for the determination.

A Draft Environmental Report for Colwall Neighbourhood Area was prepared by Herefordshire Council in November 2017 (see [https://www.herefordshire.gov.uk/download/downloads/id/13393/draft\\_environmental\\_report\\_november\\_2017.pdf](https://www.herefordshire.gov.uk/download/downloads/id/13393/draft_environmental_report_november_2017.pdf) ).

The Non Technical Summary sets out that:

*"The environmental appraisal of the Colwall NDP has been undertaken in line with the Environmental Assessment of Plan and Programmes Regulations 2004. Stage A of the SEA process involved Scoping and Stage B provides a review and analysis of the NDP. Stage C involved preparing an Environmental Report and Stage D comprises a formal consultation on both this and the Draft Plan itself.*

*Habitat Regulations Assessment (HRA) screening showed that a full HRA assessment was not required. A separate report has been produced outlining this to accompany the draft NDP.*

*On the whole, it is considered that the Colwall NDP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). The plan proposes a level of growth which reflects the proportionate growth that is prescribed by strategic policies. There are some revised wording changes suggested to strengthen or clarify some policies areas as a result of the SEA.*

*Once made (adopted) by Herefordshire Council, the effects of the policies within the Colwall NDP will be monitored annually via the Council's Annual Monitoring Report (AMR)."*

Herefordshire Council reviewed the SEA in January 2020. The Environmental Report for: Colwall Neighbourhood Area January 2020 is published on the Colwall NDP website and the Herefordshire Council Colwall NDP web pages. The **Non-Technical Summary** sets out:

*"Strategic Environmental Assessment (SEA) is an important part of the evidence base which underpins Neighbourhood Development Plans (NDP), as it is a systematic decision support process, aiming to ensure that environmental assets, including those whose importance transcends local, regional and national interests, are considered effectively in plan making.*

*Colwall Parish Council have undertaken to prepare an NDP and this process has been subject to environmental appraisal pursuant to the SEA Directive. The neighbourhood area comprises the civil parish of Colwall and lies approximately 4.5 miles from Malvern to the north east and 4.5 miles from Ledbury to the south west. The submission Colwall NDP includes eleven aims which are intended to address a number of issues highlighted and it is intended that these objectives will be delivered by 13 planning policies including a range of site allocations and criteria based policies. Four alternative strategic options have been tested together with a number of alternative site options.*

*The environmental appraisal of the Colwall NDP has been undertaken in line with the Environmental Assessment of Plan and Programmes Regulations 2004. Stage A of the SEA process involved Scoping and Stage B provides a review and analysis of the NDP. Stage C involved preparing an Environmental Report and Stage D comprises a formal consultation on both this and the Draft Plan itself.*

*Habitat Regulations Assessment (HRA) screening showed that a full HRA assessment was not required. A separate report has been produced outlining this to accompany the draft NDP. On the whole, it is considered that the Colwall NDP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). The plan proposes a level of growth which reflects the proportionate growth that is prescribed by strategic policies. There are some revised wording changes suggested to strengthen or clarify some policies areas as a result of the SEA.*

*Once made (adopted) by Herefordshire Council, the effects of the policies within the Colwall NDP will be monitored annually via the Council's Annual Monitoring Report (AMR)."*

#### **Requirement for Habitats Regulations Assessment (HRA)**

Article 6 (3) of the EU Habitats Directive (Council Directive 92/43/EEC) and Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of neighbourhood planning, a Habitats Regulation Assessment (HRA) is required where a Neighbourhood Plan is deemed likely to result in significant negative effects occurring on protected European Sites (Natura 2000 sites) as a result of the plan's implementation.

The Habitats Regulations Assessment Addendum Report for Colwall Neighbourhood Area was prepared by Herefordshire Council in November 2017.

The initial Colwall Screening Report was undertaken in September 2012 and found that the neighbourhood area did not contain any European sites or their proximity would not be affected by policies and proposals within the proposed Colwall Neighbourhood Plan. It was therefore concluded that a full Habitat Regulation Assessment will not be required for the Colwall Neighbourhood Plan.

### **Additional Basic Conditions (December 2018)**

(see National Planning Practice Guidance (para Paragraph: 079 Reference ID: 41-079-20140306)

[Regulations 32 and 33 of the Neighbourhood Planning \(General\) Regulations 2012 \(as amended\)](#) set out 2 basic conditions in addition to those set out in the primary legislation. Only one is relevant to the NDP. This is:

The making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See [Schedule 2 to the Neighbourhood Planning \(General\) Regulations 2012\(as amended\)](#) in relation to the examination of neighbourhood development plans.)

Please see the updated SEA and HRA for further information about this has been taken into account in relation to the Colwall NDP.

### **European Convention on Human Rights**

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, as demonstrated below.

The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights ('The Convention'). The Convention includes provision in the form of Articles, the aim of which is to protect the rights of the individual.

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 except 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 Parish Council has developed the policies and proposals within the Plan 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 a discriminatory impact on any particular group of individuals.

**3.7 g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).**

The prescribed conditions have therefore been met in relation to the Neighbourhood Development Plan (NDP) and prescribed matters have been complied with in connection with the proposal for the Plan.

