

BARTESTREE WITH LUGWARDINE
GROUP PARISH
NEIGHBOURHOOD PLAN 2016

BASIC CONDITIONS STATEMENT

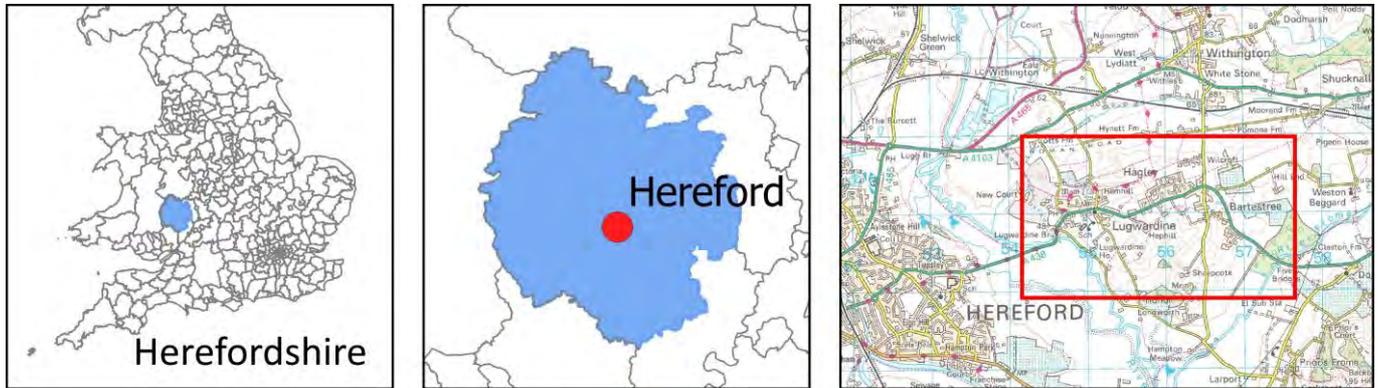
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Section 1: Introduction:

The Group Parish of Bartestree with Lugwardine is situated three miles to the East of Hereford in the County of Herefordshire. It straddles the main A438 Hereford to Ledbury Road and the River Lugg flows along the western border of the Parish of Lugwardine.

The Location of Bartestree with Lugwardine Group Parish



Section 2: Compliance with Legal Requirements

Legal requirements:

1. The following legal requirements outlined in the Localism Act 2011 have been complied with:

The Bartestree with Lugwardine Group Neighbourhood Plan and this Basic Conditions Statement to accompany it have been drawn up and submitted by the recognised qualifying body, Bartestree with Lugwardine Group Parish Council.

The Bartestree with Lugwardine Group Neighbourhood Plan:

- i. Is a Neighbourhood Plan as defined in the Localism Act 2011.
- ii. Relates to one neighbourhood area only and there are no other neighbourhood plans in place within that neighbourhood area.
- iii. Is to have effect for the period from 2011 until 2031.
- iv. Consists of policies that do not relate to „excluded development“ (minerals and waste).

The Local Plan for the group parish is Herefordshire Local Development Framework Core Strategy (HLDFCS). Herefordshire Council has also indicated it has prepared a Travellers“ Development Plan and a Minerals and Waste Local Plan. It is expected that, in combination, these will comprise the Development Plan Documents for the group parish of Bartestree with Lugwardine.

2. The following legal requirements outlined in the Town & Country Planning Act 1990, Schedule 4B, as amended, have been complied with:

The Bartestree with Lugwardine Group Neighbourhood Plan:

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

Section: 3 Contributing to the Achievement of Sustainable Development

The Bartestree with Lugwardine Group Neighbourhood Plan is in general conformity with the National Planning Policy Framework (NPPF), which was published in March 2012 and subsequently updated. The NPPF sets out the national planning policy of the Government and provides the context within which all other planning policy documents should be prepared and by which individual planning applications should be determined.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development via economic, social and environmental dimensions.

The presumption in favour of sustainable development is at the heart of the Bartestree with Lugwardine Group Neighbourhood Plan in the way that it:

- Supports the strategic development needs set out in the Herefordshire Local Plan – Core Strategy, including policies for housing and economic development;
- Plans positively to support local development, shaping and directing development in its neighbourhood area that is outside the strategic elements of the Herefordshire Local Plan - Core Strategy;
- Identifies opportunities to use Neighbourhood Development Orders (NDOs) to enable developments that are consistent with their Neighbourhood Development Plan to proceed.

The NPPF Twelve core planning principles

The NPPF sets out 12 core planning principles, which “should underpin both plan-making and decision-taking.” The table below indicates the ways in which Bartestree with Lugwardine Group Neighbourhood Plan complies with these planning principles.

No.	NPPF Planning Principle	Evidence of compliance by B & L Neighbourhood Plan	Plan/Policy Number
1.	A community-led neighbourhood Plan that sets out a vision for the future of the area and provides a practical framework within which decisions of planning applications can be made.	The community within the neighbourhood area were consulted with and contributed to the preparation of the Plan at a number of stages. Their comments were given serious consideration and addressed by amendments made to the Plan. A positive approach has been taken to accommodating the housing requirement set by Herefordshire Council but as the minimum number has already almost been achieved in the first five years of the plan period, a criteria-based plan has been prepared.	Whole Plan
2.	Enhancing and improving the places where people live.	The Plan shows how it proposes to accommodate new housing to be of good design and of low carbon footprint; that the character and appearance of the surroundings are retained and enhanced; that sustainable transport is promoted; that green spaces are designated; that local businesses and infrastructure are supported.	Vision & BL9
3.	Drive & support sustainable economic development to deliver homes, businesses and industrial units, infrastructure and thriving local places, objectively identifying local need.	The Plan provides the flexibility to provide homes, including affordable homes, and to support business of a scale that does not impinge adversely on the group parish environment and working from home in particular. Recently available high-speed broadband should help the latter.	BL10 BL11 BL12

4.	Seek to secure a high-quality design and a good standard of amenity for occupants.	Policies place particular emphasis of high quality of design, incorporating locally distinctive features where appropriate, and the inclusion of green spaces.	BL1 BL2 BL3
5.	Protect the diversity of different areas and recognise the intrinsic character and beauty of the countryside.	There are policies in the Plan to preserve the rural character, in particular, the areas of open countryside between the two main settlements with their spectacular views.	BL1 BL8
6.	Support the transition to a low-carbon future, take account of flood risk or drought and encourage the re-use of existing and renewable resources.	The housing design policy promotes eco-friendly designs with energy and water saving measures and domestic renewable energy infrastructure.	BL1 4.1
7.	Conserve and enhance the natural environment, reduce pollution and use land of lesser environmental value.	These elements are recognised as having high priority in the local community. Policies are in place to preserve landscape settings and fine views.	BL5 BL6 BL8
8.	Encourage the re-use of brownfield land where environmentally acceptable.	Brownfield sites are limited in number but will be supported especially in the case of the conversion of redundant buildings to both residential and small-scale commercial use.	BL3 BL5 BL6
9.	Promote mixed use and encourage multiple benefits from the use of land.	The group parish is a rural one with two main settlements at its heart, providing a range of services and facilities. The reintroduction of settlement boundaries and the designation of green spaces will maintain this spatial arrangement and meet this sustainable objective.	BL4 BL9
10.	Conserve heritage assets in a manner appropriate to their significance.	There is a conservation area in Lugwardine and more than 43 heritage assets. There are policies in place to preserve and protect the large areas of unregistered parks, gardens and traditional orchards and Habitats of Principal Importance from development and adverse adjacent development. (Map C) The River Lugg runs into the River Wye, which is designated as a Special Area of Conservation. The nearby Lugg Meadows are designated as a Site of Special Scientific Interest.	BL8
11.	Manage development to make full use of walking, cycling and public transport.	There is little opportunity to improve foot and cycle ways alongside the A438 but there are policies in place to link new housing developments to the villages such means. Contributions from Section 106/CIL could be used to build a foot/cycle bridge across the River Lugg to eliminate the danger of crossing where there is a narrow road bridge with no footway at all.	BL13
12.	Take account of local strategies to improve health, social and cultural wellbeing.	There are policies to preserve, promote and extend the excellent recreational facilities at the Village Hall site and to preserve many public rights of way in the group parish.	BL9

Section 4: Compliance with the NPPF and the Local Authority Plan (LDF Core Strategy)

a) A Place Shaping Approach to Achieving Sustainable Development

National Planning Policy Guidance Provision	Relevant Herefordshire Core Strategy Policy/Requirement	Bartestree with Lugwardine Neighbourhood Plan Policy
<p>Set out a positive vision for the future of the area (NPPF para 17, bullet 1).</p> <p>Neighbourhood plans should develop a shared vision for their neighbourhood (NPPF para 183 - 185).</p> <p>There should be a presumption in favour of sustainable development (NPPF para 11 – 16)</p>	<p>Vision for the County: <i>“Herefordshire will be a place of distinctive environmental, historical and cultural assets and local communities, with sustainable development fostering a high quality of life for those who live, work and visit here. A sustainable future for the county will be based on the interdependence of the themes of social progress, economic prosperity and environmental quality with the aim of increasing the county’s self-reliance and resilience”.</i></p> <p>Strategy: SS1 Presumption in favour of sustainable development. Planning proposals should be approved wherever possible unless material considerations indicate otherwise.</p>	<p><u>Vision for Bartestree & Lugwardine</u> <i>“In 2031 the group parish of Bartestree with Lugwardine will continue to be a pleasant place to live and look quite similar to the way that it does today. The villages will have a community spirit where residents of all ages live in a vibrant and distinctive community in which they feel valued, safe and comfortably at home.”</i></p> <p>Bartestree with Lugwardine NP sets out a positive vision for the future in which there is a presumption in favour of sustainable development.</p>

b) The Social Role in Achieving Sustainable Development

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

National Planning Policy Guidance Provision	Relevant Herefordshire Core Strategy Policy/Requirement	Bartestree with Lugwardine Neighbourhood Plan Policy
<p>Delivering a wide choice of high quality homes.</p> <p>Illustrate housing delivery over the plan period showing of a 5-year supply of housing land. (NPPF para 47, bullet 4).</p> <p>Set out approach to housing density to reflect local circumstances. (NPPF para 47, bullet 5).</p>	<p>Strategy: SS1: Presumption in favour of Sustainable Development.</p> <p>Strategy: SS2: Delivering New Homes</p> <p>RA1: Rural Housing Distribution.</p> <p>Policy RA2: Housing in settlements outside Hereford and the Market towns. Minimum growth target for main villages is an increase of 18% based on number of existing dwellings in neighbourhood area.</p> <p>Policy SD1: Sustainable Design and Energy Efficiency: Development proposals should create safe, sustainable, well-integrated environments for all members of the community.</p>	<p>The Current Situation The housing target for the Group Parish is to achieve a minimum of 152 new homes during the plan period 2011-2031. As approval has already been given for 144 new homes, a criteria-based Neighbourhood Plan has been produced. 40 of the new homes will be affordable ones.</p> <p>Policy BL1: Housing Design Criteria: Sets out the criteria for good, high quality design and reduced carbon footprint.</p>

<p>Plan for a mix of housing based on demographic trends, market trends and needs of different groups (NPPF para 50, bullet 1).</p> <p>Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand (NPPF para 50, bullet 2).</p> <p>Set policies to meet identified affordable housing need on site, unless offsite provision can be robustly justified but ensuring mixed and balanced communities (NPPF para 50, bullet 3).</p> <p>Make allowance for windfalls in the 5-year supply where compelling evidence (nppf para48).</p> <p>Bring back into use empty houses and buildings (NPPF para 51).</p> <p>Restrict inappropriate development of residential gardens where it will cause harm to local area (NPPF 53).</p> <p>In rural areas be responsive to local circumstances, reflecting local need, particularly for affordable housing on „exception sites“ and whether allowing some market housing would facilitate additional affordable housing for local need (NPPF para 54).</p>	<p>Policies SD1, RA2, RA3, H3: SD1: Sustainable Design and Energy Efficiency RA2: Housing in settlements outside Hereford and the Market towns. RA3: Herefordshire’s Countryside. H3: Ensuring an appropriate range and mixing of Housing</p> <p>Policy H1- Affordable Housing – Thresholds and Targets.</p> <p>Policies SD1, RA2 & RA3: RA3: Herefordshire’s Countryside.</p> <p>Policy RA5: Re-use of Rural Buildings.</p> <p>Policy RA3: Herefordshire’s Countryside</p> <p>Policy H2: Rural Exception sites.</p> <p>Policies RA3, RA4, RA5 RA4: Agricultural, forestry and rural enterprise dwellings.</p>	<p>Policy BL2: Extensions to properties: Design, size, appearance should match and remain subservient to the main dwelling and should not have adverse impact on the amenity of neighbouring dwellings.</p> <p>Policy BL10: Affordable Housing. In new housing developments of 10 or more, 35% of homes will be affordable. Once neighbourhood area need has been met, these will be offered more widely.</p> <p>Policy BL3: Infilling and Windfalls: Should be in keeping with the scale, form and character of its surroundings and existing buildings and not impact adversely on the amenity of nearby properties; have suitable access to a public highway</p> <p>Policy BL4: Settlement Boundaries: The former UDP Settlement Boundaries are retained and extended to include sites where planning permission for housing development has been granted, sites that have been developed in the past and other undeveloped sites where small-scale development could take place in the future.</p> <p>Policy BL6: Redundant rural buildings: Consideration will be given to conversion to residential or small-scale commercial/business use, subject to no harmful impact on the landscape/setting nor on the local road network.</p> <p>Policy BL5: Housing in the Countryside: Very limited development in areas of the parishes outside the new settlement boundaries.</p> <p>Policy BL7: Rural Exception Sites: If required, rural „exception sites“ for dwellings must be developed in accordance with the Local Plan.</p>
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<p>Provision of Infrastructure</p> <p>Encourage transport solutions that support reductions in greenhouse gas emissions and reduce congestion (NPPF para 30).</p> <p>Developments that generate significant amounts of movements should be supported by Transport Statements or Transport Assessments to show sustainable transport modes have been taken into account, safe and suitable access can be achieved, and improvements to the transport network to limit impacts on development can be undertaken (NPPF paras 32 and 36).</p> <p>Give priority to pedestrians and cycle movements (NPPF para 35 bullet 2).</p> <p>Create safe and secure layouts, minimising conflicts between users, avoiding clutter (NPPF para 35 bullet 3).</p> <p>Set local parking standards taking account of accessibility, type of development, availability of public transport, car ownership and need to reduce the use of high emission vehicles (NPPF para 39).</p>	<p>Strategy SS4: Movement and Transportation.</p> <p>Policy MT1: Traffic Management, highway safety and promoting active travel.</p>	<p>Policy BL13: Transport and Highways. This policy relates to the measures needed to combat concern about speed and volume of traffic, road safety and parking resulting from new developments.</p> <p>Policy BL13:I. Safe access on to adjacent roads.</p> <p>Policy BL13:III. New developments should not lead to significant increases in traffic volumes and speeds.</p> <p>Policy BL13:V. New developments should provide new foot and cycleways.</p> <p>Policy BL13:IV. Road layouts on new developments should be in accordance with „Manual for Streets“.</p> <p>Policy BL13:II. Adequate parking for residents and visitors on new development sites.</p>
<p>Promoting Healthy Communities</p> <p>Promote mixed-use developments, strong neighbourhood centres and active street frontages (NPPF para 69, bullet 1).</p> <p>Promote safe and accessible environments to avoid fear of crime and promote cohesion (NPPF para 69, bullet 2).</p>	<p>Policy H3: Ensuring an appropriate range and mixing of Housing</p> <p>Policy SC1: Social & Community Facilities</p>	<p>Policy BL1: Housing Design Criteria:</p>

<p>Promote safe and accessible developments with clear legible pedestrian routes, high quality public spaces to encourage active and continual use of public areas (NPPF para 69, bullet 3).</p> <p>Plan positively for the provision and use of shared space, community facilities (e.g. meeting places, public houses) and other local services (NPPF para 70, bullet 1).</p> <p>Guard against unnecessary loss of valued facilities and service, enabling them to develop and modernise in sustainable ways (NPPF para 70, bullets 2 and 3).</p> <p>Protect and provide opportunities for new open spaces, sport and recreational facilities and land, based on robust and up-to-date assessments (NPPF paras 73 and 74).</p> <p>Protect and enhance public rights of way and access (NPPF para 76).</p> <p>Identify and provide special protection for green areas by designating Local Green Space (NPPF paras 77 and 78).</p>	<p>Policy SC1: Social and community Facilities.</p> <p>Policy OS2: Meeting Open Space, Sport and Recreation Needs.</p>	<p>Policy BL13:I. Safe access on to adjacent roads.</p> <p>Plan Section 4.3: Community assets: Community assets should be maintained as going concerns wherever possible.</p> <p>Section 3.9 Protecting Green Spaces. There is strong support to retain and add to the recreation areas and open spaces in the Neighbourhood Area.</p> <p>Policy BL13: Transport and Highways. Public rights of way will be preserved.</p> <p>Policy BL9: Protecting Green Open spaces. In the Plan a named list of green open spaces are designated.</p>
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c) The Economic Role in Achieving Sustainable Development

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

<p>Building a Strong Economy</p> <p>Set out a clear economic vision and strategy to positively and proactively encourage sustainable economic growth, to meet development needs of business, address potential barriers to investment and support an economy fit for 21st century (NPPF paras 18-21).</p>	<p>Strategy SS5: Employment Provision.</p>	
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<p>Support existing business sectors (including expansion or contraction) planning for new or emerging sectors (NPPF para 21, bullet 3).</p> <p>Facilitate flexible working practices such as live/work units (NPPF para 21, bullet 6).</p>	<p>Policy E1: Employment Provision.</p> <p>Policy E3: Home-working.</p>	<p>Policy BL12: Supporting Local Businesses. Planning applications for small-scale business development will be supported provided they present no adverse effects on nearby residents or highways.</p> <p>Policy BL11: Working from Home. Planning applications relating to home working will be supported, provided they present no adverse effects on nearby residents or highways in terms of extra traffic, noise or light pollution.</p>
<p>Supporting a Prosperous Rural Economy</p> <p>Promote diversification and development of agriculture and other land based rural businesses (NPPF para 28, bullet 2).</p> <p>Promote provision and expansion of sustainable rural tourism, visitor facilities and leisure developments that respect the countryside (NPPF para 28, bullet 3).</p> <p>Promote the retention and development of local services and community facilities in villages (NPPF para 28, bullet 4).</p>	<p>Policy RA6: Rural Economy.</p> <p>Policy E4: Tourism.</p> <p>Policy SC1: Social and Community Facilities.</p>	<p>Plan Section 4.2: Provision of Sites for Intensive Agriculture. Applications for the installation of large-scale intensive agricultural or horticultural units such as polytunnels, poultry units, indoor dairy units and pig units are not considered appropriate in the Neighbourhood Area.</p> <p>Plan Section 3.6: New Uses for Redundant Buildings. Plan supports the conversion of redundant buildings to Bed and Breakfast or Holiday Lets.</p> <p>Section 4.3: Community Assets.</p>
<p>Supporting High Quality Communications Infrastructure</p> <p>Support the expansion of electronic communications network, including broadband but keeping the number of masts to a minimum, using existing buildings and structures, with new sites sympathetically designed (NPPF para 43).</p>	<p>Policy SC1: Social and Community facilities.</p>	<p>Policy BL11: Working From Home. III) and Policy BL12: Supporting Local Businesses. V. Support for sensitively placed masts or other infrastructure to improve telephone and internet services.</p>
<p>d) The Environmental Role in Achieving Sustainable Development Contributing to protecting and enhancing our natural, built and historic environment; and as part of this helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.</p>		

<p>Requiring Good Design</p> <p>Plan positively for the achievement of high quality design based on robust and comprehensive objectives for the future of the area defined characteristics (NPPF para 57).</p> <p>Establish a strong sense of place, using streetscape and buildings to create attractive and comfortable places to live, work and visit (NPPF para 58, bullet 2).</p> <p>Optimise potential of site to accommodate development, sustaining a mix of uses and including green and open space, local facilities transport networks (NPPF para 58, bullet 3).</p> <p>Reflect the identity of local surroundings and materials contributing to local distinctiveness but without discouraging innovation and originality (NPPF para 58, bullet 4).</p> <p>Create safe and accessible environments, maintaining community cohesion (NPPF para 58, bullet 5).</p> <p>Be visually attractive with good architecture and appropriate landscaping (NPPF para 58, bullet 6).</p>	<p>Strategy SS6: Environmental Quality and Local Distinctiveness.</p> <p>Policy SD1: Sustainable Design and Energy Efficiency:</p> <p>Policies LD1: Landscape and Townscape.</p>	<p>Policy BL1: Housing Design Criteria</p> <p>Our Vision: A place where residents of all ages will feel valued, safe and comfortable at home.</p> <p>Policy BL1. III): Make provision for green open spaces.</p> <p>Policy BL1.I): Good design incorporating locally distinctive features but to include innovative design where it fits in sensitively.</p> <p>Our Vision.</p> <p>Policy BL1.IV): Retaining important features such as tree cover, ponds, orchards and hedgerows.</p>
<p>Conserving and enhancing the natural environment.</p> <p>Landscape Take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside (NPPF para 17, bullet 5).</p> <p>Protect and enhance valued landscapes, geological conservation interests and soils (NPPG para109, bullet 1)</p>	<p>Strategy SS6: Environmental Quality and Local Distinctiveness.</p>	

<p>Promote the preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species linked to national and local targets and identify suitable indicators for monitoring (NPPF para 117, bullet 3).</p> <p>Prevent harm to geological conservation interests. (NPPF para 117, bullet 4)</p> <p>The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Habitats Directive is being considered, planned or determined (NPPF para 119).</p> <p>Control of Pollution and Land Stability</p> <p>Avoid noise giving rise to significant adverse impacts on health and quality of life (NPPF para 123, bullet 1)</p> <p>Limit impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation through good design. (NPPF para 125).</p> <p>Conserving and Enhancing the Historic Environment</p> <p>Set out a positive strategy for the conservation and enjoyment of the historic environment (NPPF para 126).</p> <p>Take account of the desirability of sustaining and enhancing the significance of heritage assets (NPPG para 126, bullet 1)</p> <p>Ensure policies for development affecting historic assets and their settings are properly assessed, including considering uses consistent</p>	<p>Strategy SS6: Environmental Quality and Local Distinctiveness.</p> <p>Policy LD4: Historic Environment and Heritage Assets.</p>	<p>Policy BL11: Working from Home.1) Planning applications relating to home working will be supported, provided they present no adverse effects on nearby residents or highways in terms of extra traffic, noise or light pollution.</p> <p>Policy BL8: Conserving Historic Character: New Building will only be permitted in exceptional circumstances in the Lugwardine conservation area, near to heritage assets, in or adjacent to registered and unregistered historic parkland, gardens & woodland and habitats of principal importance.</p>
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<p>with their conservation, their contribution to the community, their economic viability, and contribution to local character and distinctiveness (NPPF para 131).</p> <p>Less than substantial harm should be weighed against public benefit (NPPF para 134)</p> <p>The effect of development on the significance of locally important assets should be balanced against the scale of the harm (NPPF para 135).</p> <p>Look for opportunities for new development within conservation areas or within the setting of a heritage asset to enhance or better reveal their significance (NPPF para 137)</p> <p>Non designated heritage assets of archaeological interest that are demonstrably equivalent to a scheduled monument should be considered subject to policies for designated heritage assets.(NPPF para 139)</p> <p>Meeting the challenge of climate change, flooding and coastal change</p> <p>Plan in locations and ways to reduce greenhouse gas emissions (NPPG para 95, bullet 1).</p> <p>Actively support energy efficiency improvements to existing buildings (NPPG para 95, bullet 2).</p> <p>Positively promote and maximise energy from renewable and low carbon sources while ensuring adverse effects are addressed satisfactorily, including cumulative effects (NPPG para 97, bullets 1 & 2).</p>	<p>Strategy SS7: Meeting the Challenge of Climate Change.</p> <p>Policy SD1: Sustainable Design and Energy Efficiency.</p> <p>Policy SD2: Renewable and Low Carbon Energy.</p>	<p>Policy BL1: Housing Design Criteria. II). Good design and maximum possible reduction in carbon footprint by incorporating eco-friendly initial designs such as orientation of buildings and photovoltaic panels.</p> <p>Section 4.1: Provision of Sites for Green Energy. Applications for green energy systems such as solar on roofs or brown-field sites for the benefit of the parish population e.g. community solar parks and small-scale bio-digesters, will be considered on their own merits but</p>
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<p>Identify opportunities for renewable energy and low carbon sources and/or supporting infrastructure (NPPG para 97, bullet 3).</p> <p>Support community-led initiatives for renewable and low carbon energy (NPPG para 97, bullet 4).</p> <p>Identify opportunities for development to draw its energy supply from decentralised renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers (NPPG para 97, bullet 5).</p> <p>Ministerial Statement, 18 June 2015 requires that proposals for wind energy development, local planning authorities should only grant planning permission if the development is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and the proposal has their backing. Take account of climate change on water supply and changes to biodiversity and landscape, or manage risk through suitable adaptation measures (NPPG para 99).</p>		<p>large-scale commercial applications are not considered to be appropriate within the Neighbourhood Area.</p> <p>Policy BL1: Housing Design Criteria. II). Good design and maximum possible reduction in carbon footprint by incorporating eco-friendly initial designs such as orientation of buildings and photovoltaic panels.</p> <p>Section 4.1: Provision of Sites for Green Energy. Large-scale, commercial wind turbines are not considered to be appropriate within the Neighbourhood Area.</p>
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Section 5: Compliance with EU Regulations

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

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

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

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

European Obligations	Bartestree with Lugwardine Neighbourhood Plan Provisions
<p>Directive 2001/42/EC or Strategic Environmental Assessment (SEA)</p>	<p>It is considered that the Bartestree with Lugwardine NDP is in general conformity with both national planning policies contained in the National Planning Policy Framework (NPPF) and strategic policies set within the Herefordshire Local Plan (Core Strategy). Nor does it propose any growth that would be over and above that prescribed by strategic policies. Therefore no significant changes to the NDP are recommended as a result of the SEA.</p> <p>The SEA indicates that the cumulative impact of the NDP policies over the course of the plan period is generally positive and neutral in relation to SEA objectives. Although some policies may have a neutral or uncertain impact during the first 5 years of the plan period, there is no reason why they cannot have a positive effect in the medium to long-term due to policy safeguards included elsewhere in both the NDP and the Local Plan (Core Strategy); these safeguards should avoid or mitigate against unacceptable adverse impacts.</p> <p>It is noted that, once made (adopted) by Herefordshire Council, the effects of the policies within the Bartestree with Lugwardine NPD will be monitored annually via the Council's Authority Monitoring Report (AMR).</p> <p>Paragraph 6.7 of the SEA reports that the:</p> <p><i>"Task B4 of SEA brings together the results of earlier tasks and thus identifies the cumulative impact of the entire of the NDP. This task, which is also attached at Appendix 4, reveals that the objectives and policies contained in the Bartestree with Lugwardine NDP are by and large in general conformity with the adopted Local Plan (Core Strategy), which means that the cumulative effect of the plan will contribute to the achievement of the SEA objectives."</i></p> <p>Paragraph 6.8 indicates that:</p> <p><i>"None of the NDP policies are considered to be in direct conflict with or propose greater levels of growth and development than strategic policies contained in the Local Plan (Core Strategy), which themselves have undergone a full Sustainability Appraisal."</i></p>
<p>Directive 92/43/EEC Directive 2009/147/EC Habitats Regulations Assessments (HRA)</p>	<p>HRA Paragraph 9.1 states: <i>"None of the Bartestree with Lugwardine NDP objectives and policies (November 2015) were concluded to be likely to have a significant effect on the River Wye SAC. This conclusion is based on assumptions and information contained within the Bartestree with Lugwardine NDP, to the adopted Herefordshire Local Plan (Core Strategy) and the latest version of the HRA for the Local Plan (Core Strategy) published on the Council's website."</i></p> <p>HRA Paragraph 9.2 states: <i>"In many cases this is because the policy itself would not result in development, i.e., it related instead to criteria for development. Where there are housing development policies, a number of cases the policies also included measures to help support the natural environment policy BS8/9 and protecting Local Heritage therefore no significant effect conclusion could be reached. In addition, these policies have the potential to mitigate some of the possible adverse effects arising from other policies such as housing and transport infrastructure policies. Many of the policies impact from housing development will be mitigated by Core Strategy environmental and landscape policies SD1, LD2, OS1 and OS3."</i></p>

	<p>Paragraph 9.3 states: <i>“The plan allocates settlement boundaries within the two core settlements of Bartestree and Lugwardine. The Neighbourhood Area has one 4.14 settlement of Bartestree and Lugwardine. Within the settlement boundaries there is space to accommodate housing in line with the housing development target in the Core Strategy.”</i></p>
<p>Directive 2000/60/EC Water Framework Directive</p>	<p>The River Lugg runs along the border of Lugwardine Parish and the River Wye is about a mile away. The Group Parish is within the River Lugg hydrological catchment area. Nutrient studies in 2014 highlighted that the River Lugg section of the SAC was currently exceeding the phosphate target levels but was recovering (achievement target is 2027). As mains drainage is in place, none of the Bartestree with Lugwardine NDP objectives and policies (November 2015) were concluded to be likely to have a significant effect on adverse nutrient levels in the River Wye SAC.</p> <p>An integrated flood management strategy is required for the whole of the River Lugg catchment area, with special mitigation measures if housing is required. As all the proposed future housing sites will be of a small scale, it is therefore concluded that the Bartestree with Lugwardine Neighbourhood Plan will not have a likely significant effect on the River Wye SAC.</p>
<p>Human Rights</p>	<p>The policies within this Neighbourhood Plan are considered to comply with the requirements of the EU Obligations in relation to human rights. The plan is not detrimental to human rights but seeks to enhance the human rights of current and future residents within Bartestree with Lugwardine.</p>