



# **Basic Conditions Statement**

Stoke Lacy Parish Council

May 2022



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Prepared by Stoke Lacy Parish Council

with the assistance of



## 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 of the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. A draft neighbourhood plan or order meets the basic conditions if—
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
  - the making of the plan contributes to the achievement of sustainable development
  - the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations.
- 1.2 Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:
- the making of the neighbourhood plan is not likely to have significant effects on a European site or a European offshore marine site either alone or in combination with other plans or projects and
  - having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to the examination of the NDP as it is not about a neighbourhood development order).
- 1.3 A further Basic Condition was added by legislation on 28 December 2018. The Neighbourhood Planning (General) Regulations 2012 para 1 states:
- In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act - The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 1.4 This Basic Conditions Statement sets out how the Stoke Lacy 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

The Submission Plan is being submitted by a qualifying body, namely Stoke Lacy 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 (as amended).

### 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 2022 to 2031 (from the current year and referring to 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 Stoke Lacy 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 Stoke Lacy Neighbourhood Development Plan Review has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, updated on 20<sup>th</sup> July 2021)<sup>2</sup>.

Note - only those policies and sections in the NPPF that are relevant to the NDP are addressed below.

### 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. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.'

The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective and an environmental objective. These objectives should be delivered through the preparation and implementation of plans (paragraph 9). The NDP includes various policies which, together, should deliver sustainable development. Table 1 sets out how the Stoke Lacy NDP delivers the 3 overarching Objectives.

**Table 1 Delivering Sustainable Development**

<b>NPPF Overarching Objectives</b>	<b>Stoke Lacy NDP Policies and Proposals</b>
a) <b>an economic objective</b> – 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;	Stoke Lacy is located in a very rural and sparsely populated part of Herefordshire. The NDP recognises that the local economy is largely based around farming and food and drink production. There is also a growing visitor economy and a number of small businesses and people working from home.  <b>Objective 5:</b> is to provide a supportive framework for all appropriate local, rural economic development. There are several NDP Policies which support appropriate growth in the rural area:

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

	<p><b>Policy SL11: Employment Site</b> identifies the area occupied by the Wye Valley brewery and nearby small industrial estate as employment land and buildings within the settlement boundary, <b>Policy SL12: Agricultural buildings and polytunnels requiring planning permission</b> provides local criteria for assessing proposals for largescale agricultural buildings, and <b>Policy SL13: Proposals for New Renewable Energy Technology Schemes</b> supports small scale renewable energy or low carbon energy proposals that demonstrably benefit the community, and respect local character, residential amenity and steers such schemes away from the most productive agricultural land.</p> <p><b>Policy SL14: Tourism and Rural Enterprise</b> supports proposals for small scale tourism and rural enterprise where they conform to the relevant Design Codes and include conversions and new buildings of high quality design, support rural diversification, provide suitable and safe access and protect residential amenity. Proposals for farm/village shops and cafes are encouraged.</p>
<p>b) <b>a social objective</b> – 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being;</p>	<p>The Parish has 2 main settlements, Stoke Lacy and Stoke Cross which are separated by countryside and linked by a busy road (without a continuous footpath) and various other small scattered hamlets and farmsteads. Stoke Cross has seen significant new development in recent years and the NDP provided an opportunity to engage with new residents and ensure these and future residents are welcomed into the parish community.</p> <p><b>Objective 2</b> therefore is: To develop a greater sense of community and identity and improve the cohesion between the several separate communities that make up Stoke Lacy Parish ensuring new residents feel welcome, and everyone feels safe and valued.</p> <p><b>Objective 3:</b> is to support and enhance existing local facilities including the Village Hall, Church and Plough Inn Public House, and to actively encourage community involvement and engagement in Parish activities.</p>

	<p><b>NDP Policy SL3: Community Facilities</b> and the Policies maps identify important local community facilities such as the church, village hall and pub for protection.</p> <p><b>Policy SL4: Local Green Space</b> identifies 2 special areas for protection as Local Green Space, both of which are highly important to the community.</p> <p><b>Policy SL5</b> seeks to address the current lack of open space provision by supporting proposals for new public open spaces to meet local recreational and community needs or improvements to existing spaces and providing examples of the types of facilities which should be included, following public consultations.</p> <p>The Parish has already met and exceeded the minimum housing requirement set out in the Herefordshire Local Plan Core Strategy. However the NDP plans positively for some new housing in the Parish.</p> <p><b>Objective 7</b> is to sustain age diversity in the community by ensuring the availability of suitable property for the younger generation and for an ageing population. This will enable them to remain in the community that they know and by which they are supported as their housing needs change. New housing should be located where it will enhance or maintain the vitality of our community.</p> <p><b>NDP Policy SL16: Development within the Settlement Boundaries</b> sets out criteria for new development in the identified settlement boundaries and a small Site Allocation is identified <b>SL16/1: Crossfield House, Stoke Cross</b> for 2 houses. <b>Policy SL17: Housing Mix</b> sets out the preferred house types and tenures in response to residents' concerns identified in public consultation responses.</p>
<p>c) <b>an environmental objective</b> – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p>	<p>The NDP recognises the built and natural heritage assets in the area, including the many listed buildings, the Conservation Area and the distinctive landscape character.</p> <p>Design Codes were commissioned a part of the NDP process to inform detailed policies on design.</p>

	<p><b>Objective 1:</b> is to protect and enhance valued landscapes and views and the intrinsic character and beauty of our countryside; to recognise the wider benefits including those of the best and most versatile agricultural land and of the trees and woodlands; to protect our dark skies, wildlife habitats and biodiversity; to protect the countryside from inappropriate development.</p> <p>This objective will be delivered through a detailed design policy which considers landscape and biodiversity (<b>See Policies SL1: Protecting and Enhancing Local, Landscape Character and Biodiversity SL2: River Wye Special Area of Conservation (SAC) and SL4: Local Green Space</b> which protects 2 locally significant areas.</p> <p><b>Objective 4</b> is to ensure all new buildings make a positive contribution to local character and distinction whilst embracing innovative and contemporary design, with resource efficiency very much in the foreground. Design codes should be used to ensure land is used efficiently while also creating beautiful and sustainable places which maintain the area's prevailing character and setting including rural gardens.</p> <p>NDP Policies <b>SL6: Pattern and Layout of Buildings, SL7: Green Infrastructure, SL8: Detailing and Materials, SL9: Conversions, Extensions and Infill and SL10: Promoting Innovative and Sustainable Design</b> have been prepared to deliver this objective. The work on the Design Codes has formed a major part of the work on the NDP and the document is an important part of the evidence base.</p> <p><b>Objective 6</b> is to improve accessibility for all so that roads and rights of way footpaths, and particularly the A465 will be attractive and safer for all users, well maintained and have good signage. They should also encourage active travel use. The NDP recognises that more sustainable transport alternatives are needed in the Parish although the rural, sparsely populated character means that many are</p>
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	very dependent on cars. <b>Policy SL15: Improving Accessibility and Sustainable Travel</b> seeks to help address this by supporting more sustainable transport solutions.
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The presumption in favour of sustainable development is explained in relation to plan making in NPPF paragraph 11:

'11. Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- 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, 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; 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.

The Stoke Lacy NDP takes a positive and balanced approach to development, recognising that although the minimum housing target set out in the Local Plan Core Strategy has been met and exceeded some further housing development would be acceptable within the settlement boundaries, subject to addressing the criteria set out in the NDP planning policies.

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 Stoke Lacy NDP addresses each of these in turn.

**Table 2 Plan Making**

<b>NPPF Plan Making</b>	<b>Stoke Lacy NDP</b>
a) be prepared with the objective of contributing to the achievement of sustainable development	<p>The NDP has been prepared to contribute to sustainable development; NDP policies support appropriate housing development and there is a strong emphasis on sustainable and high-quality design.</p> <p>Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social and environmental objectives.</p>
b) be prepared positively, in a way that is aspirational but deliverable;	<p>The NDP has been prepared positively. The Steering Group has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable and appropriate development.</p> <p>Design codes were commissioned through the Locality Technical Support programme to underpin policies on design and to provide more detail.</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;	<p>The work on the NDP has been led by a Steering Group of local residents and parish councillors.</p> <p>The NDP's preparation has been supported by officers from Herefordshire Council.</p> <p>The accompanying Consultation Statement sets out the details of the various community consultation and engagement activities which have been undertaken at all stages of the Plan's preparation. Briefly these have included:</p> <ul style="list-style-type: none"> <li>- Public meetings to assess local interest and commence work on the NDP</li> <li>- Call for sites and informal engagement with landowners</li> <li>- Issues and Options consultation with local stakeholders</li> <li>- Informal consultation on an emerging draft plan and options for site allocations</li> <li>- Regulation 14 formal consultation.</li> </ul>
d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;	<p>The NDP policies and proposals have been prepared by the Steering Group, with support from a planning consultant and officers from Herefordshire Council. The technical evidence underpinning policies</p>

	<p>and proposals includes design codes and site assessments prepared by AECOM through the Locality technical support programme.</p> <p>Amendments have been made through the process in response to suggestions provided through the extensive public consultation process. This has included a number of amendments following the Reg 14 consultation, including changes to policy wording, splitting long policies into several shorter policies, and providing new policies, particularly linked to community facilities and economic development in the rural area where.</p> <p>It is understood that the Examiner is likely to recommend further changes to wording following the examination process.</p>
e) be accessible through the use of digital tools to assist public involvement and policy presentation; and	<p>All relevant documents have been provided on the NDP website at various stages and the website has been updated to include all documents from each stage prior to submission.</p> <p>Responses by email and using an online response form were invited at informal and formal consultation stages.</p> <p>Copies of presentation material from the drop ins at Reg 14 were published on the website for those unable to attend in person.</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>The NDP has been amended and updated throughout its preparation to reduce duplication with Herefordshire Council policies and 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 Stoke Lacy NDP contains non-strategic planning policies and proposals that add local detail and value to 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.'

The NDP refers to the relevant Herefordshire Council policies and paragraphs of the NPPF in the supporting text. Stoke Lacy is in the Bromyard rural HMA in Herefordshire which is identified for 15% housing growth in Core Strategy Policy RA1. This minimum target has been exceeded in the neighbourhood area. Policy RA2 guides sustainable housing growth in or adjacent to those settlements identified in Figures 4.14 and 4.15. Stoke Cross/Stoke Lacy are identified in Figure 4.14 as settlements which will be the main focus of proportionate housing development. Therefore, the NDP includes settlement boundaries and local policies to guide development in these 2 settlements.

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**

### **Rural housing**

Paragraph 66 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 Parish has seen significant housing development in recent years and has exceeded its current target growth figure up to 2031 by at least 21 units. However the NDP recognises that some further modest growth should be supported where housing is located within settlement boundaries of Stoke Cross and Stoke Lacy, is sensitively designed and is of a suitable mix which responds to local needs and community consultation responses.

Paragraph 78 advises that 'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.' The NDP supports this principle, particularly in **Policy SL17**.

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

### **Supporting a prosperous rural economy**

Paragraph 84 advises that 'Planning policies and decisions 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 NDP recognises the Parish's location in a rural area and includes **Policy SL11: Employment Site, Policy SL12: Agricultural buildings and polytunnels requiring planning permission, Policy SL13: Proposals for New Renewable Energy Technology Schemes and Policy SL14: Tourism and Rural Enterprise**.

The NDP describes the local community facilities in the Parish including the village hall, church and pub in some detail and notes their importance to the parish community. **Policy SL3: Community Facilities** seeks to protect them.

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



Paragraph 92 sets out that 'Planning policies and decisions should aim to achieve healthy, inclusive and safe place which c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling' Paragraph 98 goes on to say 'Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.'

The NDP supports healthy lifestyles by protecting 2 Local Green Spaces (**Policy SL4**), supporting the provision of new areas of public open space (**Policy SL5**) which are designed to include facilities identified through public consultation.

## **9. Promoting sustainable transport**

Paragraph 104 c) advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. Stoke Lacy NDP promotes walking and cycling in **Policy SL15: Improving Accessibility and Sustainable Travel**.

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

Paragraph 119 advises that 'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.' Paragraph 120 goes on to say, 'Planning policies and decisions 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.'

The NDP supports development within the settlement boundaries and includes **SL1: Protecting and Enhancing Local Landscape Character and Biodiversity** which encourages landscaping schemes to enhance local wildlife, provide new and restored habitats and to contribute to biodiversity net gain.

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

Paragraph 126 explains that 'The creation of high quality, beautiful and sustainable 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 planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.'

The application of Design Codes is encouraged and promoted in paragraphs 128 and 129. Paragraph 128 advises 'Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design.' Paragraph 129 sets out 'Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.'

The NDP is underpinned by the **Stoke Lacy Design Guidance and Codes** background document which was commissioned through the Locality Technical Support programme. The Design Code has been used to inform a number of NDP Policies including **Policy SL1: Protecting and Enhancing Local Landscape Character and Biodiversity**, **Policy SL6: Pattern and Layout of Buildings**, **Policy SL7: Green Infrastructure**, **Policy SL8:**

**Detailing and Materials, Policy SL9: Conversions, Extensions and Infill and Policy SL10: Promoting Innovative and Sustainable Design** and is an important part of the NDP evidence base.

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

Paragraph 152 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. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'

Paragraph 154 advises that 'New development should be planned for in ways that: b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.'

Paragraph 155 sets out 'To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts); b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and 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. Paragraph 156 sets out that '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.'

**NDP Policy SL10** sets out that proposals should demonstrate how designs have incorporated high standards of resource and energy efficiency as recommended in the guidance set out in Design Code 07 Waste, recycling and utilities and Design Code 08 Sustainability and building performance and provides further detail on how this could be achieved.

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

Paragraph 174 advises that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'

The NDP describes the distinctive local landscape character around Stoke Lacy drawing on the Herefordshire Landscape Assessment SPD. **Policy SL1** sets out that the design of any new build should minimise any adverse visual impacts on the local landscape character of Stoke Lacy Parish and incorporate various landscape design and biodiversity principles. The NDP notes the area's significant dark skies and key public views are identified in the supporting text. **Policy SL13: Proposals for New Renewable Energy Technology Schemes** guides development away from the most productive agricultural land.

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

Paragraph 185 sets out that 'Planning policies and decisions should also 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.

Pollution of watercourses from phosphates and nitrates is a particular issue for the River Lugg catchment within which Stoke Lacy lies. **Policy SL2** includes wording setting out that all proposals must demonstrate that they protect, conserve, and enhance the natural environment in accordance with the principles in Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3. This includes demonstrating to a high standard, so that the competent authority may be sure, that the proposal will not have an adverse effect on the conservation objectives of the River Wye Special Area of Conservation (SAC) and to species of European importance. Planning permission will only be granted if it is shown so that the planning authority can be certain that the proposal, with mitigation, will not increase nutrient inputs to the SAC.

Several NDP policies note the need to protect residential amenity including disturbance from noise and light pollution.

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

Paragraph 189 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 190 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

The NDP notes the Conservation Area and listed buildings and includes **SL8: Detailing and Materials** to provide detailed advice on respecting character by use of appropriate materials and detailing in the Conservation Area.

### **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 the listed buildings in the Parish.

[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.

[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 policies set out in the Herefordshire Local Plan Core Strategy 2011 - 2031.

Work has commenced recently on a review of the Local Plan<sup>3</sup> but this is at a very early stage (consultation on Spatial Options ran from 17<sup>th</sup> January to 28<sup>th</sup> February 2022). Therefore the NDP has been prepared in the context of the adopted Plan.

Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the development plan.

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<sup>3</sup> See <https://www.herefordshire.gov.uk/local-plan-1/local-plan-2021-2041>



**Table 3 General Conformity with Strategic Planning Policies**

Stoke Lacy NDP Policies	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
<p><b>Policy SL1: Protecting and Enhancing Local Landscape Character and Biodiversity</b></p> <p>Proposals should demonstrate consideration of Design Code 02 Green infrastructure, active travel and open space and Design Code 03 Views and landmarks, and the area wide and character area specific design principles.</p> <p>The design of any new build should minimise any adverse visual impacts on the local landscape character of Stoke Lacy Parish, and incorporate the following landscape design and biodiversity principles where they are applicable to the site concerned:</p> <ol style="list-style-type: none"> <li>1. All new development within the settlements of Stoke Lacy and Stoke Cross should protect important local landscape features which enhance the character of the built-up area and link it to the open countryside. These include the following: watercourses, ponds,</li> </ol>	<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. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> <li>• landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;</li> <li>• biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest;</li> <li>• historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings;</li> <li>• the network of green infrastructure;</li> <li>• local amenity, including light pollution, air quality and tranquillity;</li> <li>• agricultural and food productivity;</li> <li>• physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.</li> </ul>	<p>NDP Policy SL1 requires development to minimise any adverse visual impacts on the local landscape character of Stoke Lacy Parish and incorporate the various landscape design and biodiversity principles into schemes.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires development proposals to conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular landscape, townscape and local distinctiveness. Developments should also protect, and where possible restore, important habitats such as traditional orchards and hedgerows.</p> <p>Core Strategy Policy LD1 requires proposals to demonstrate that landscape character has influenced design, and to incorporate new landscape schemes to ensure development integrates appropriately into its surroundings and maintain and extend tree cover.</p>

<p>veteran / ancient trees, traditional hedgerows, woodland and traditional orchards. These features should be incorporated into landscaping designs.</p> <ol style="list-style-type: none"> <li>2. Landscaping schemes should incorporate the planting of native broadleaved woodland species where possible, and plant new traditional species hedgerows in boundary schemes.</li> <li>3. Landscaping schemes should be used to enhance local wildlife, providing new and restored habitats and contributing to biodiversity net gain.</li> <li>4. Buildings should incorporate features to enhance biodiversity including bat bricks, bird boxes and hedgehog gravel boards;</li> <li>5. Lighting schemes should be designed to minimise light pollution and protect the area's dark skies. Security lighting should be operated by intruder switching, be appropriate to the setting, be unobtrusive and energy efficient and</li> </ol>	<p>The management plans and conservation objectives of the county's international and nationally important features and areas will be material to the determination of future development proposals. Furthermore assessments of local features, areas and sites, defining local distinctiveness in other development plan documents, Neighbourhood Development Plans and Supplementary Planning Documents should inform decisions upon proposals.</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</li> <li>- 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 LD2 – Biodiversity and geodiversity</b></p>	<p>Policy LD2 – Biodiversity and geodiversity requires development proposals to conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, including through restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks, and the creation of new biodiversity features and wildlife habitats.</p> <p>Policy LD3 – Green infrastructure sets out that development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure and trees, hedgerows and watercourses are all included as examples of GI corridors and linkages.</p>
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<p>have consideration for neighbouring amenity. Business development must have lighting plans and large agricultural units or tourist enterprises in the countryside should avoid light pollution.</p> <p>6. Existing public rights of way should be protected, and schemes should provide safe and accessible linkages to nearby walking routes, cycle routes and bridleways wherever possible.</p> <p>Key Public Views are identified in Figure 1 and proposals should respect these views in accordance with Design Code 03. Where a proposal impacts on an identified Key Public View, a Landscape and Visual Impact Assessment or similar study should be carried out to ensure that the scheme is designed and sited sensitively and appropriately to mitigate any adverse impacts.</p>	<p>Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:</p> <ol style="list-style-type: none"> <li>1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows: <ol style="list-style-type: none"> <li>a) Development that is likely to harm sites and species of European Importance will not be permitted;</li> <li>b) Development that would be liable to harm Sites of Special Scientific Interest or nationally protected species will only be permitted if the conservation status of their habitat or important physical features can be protected by conditions or other material considerations are sufficient to outweigh nature conservation considerations;</li> <li>c) Development that would be liable to harm the nature conservation value of a site or species of local nature conservation interest will only be permitted if the importance of the development outweighs the local value of the site, habitat or physical feature that supports important species.</li> <li>d) Development that will potentially reduce the coherence and effectiveness of the ecological network of sites will only be permitted where adequate compensatory measures are brought forward.</li> </ol> </li> <li>2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and</li> <li>3. creation of new biodiversity features and wildlife habitats.</li> </ol> <p>Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and prevention of adverse impacts on, biodiversity and geodiversity features.</p>	
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	<p><b>Policy LD3 – Green infrastructure</b></p> <p>Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:</p> <ol style="list-style-type: none"> <li>1. identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain;</li> <li>2. provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network; and</li> <li>3. integration with, and connection to, the surrounding green infrastructure network.</li> </ol>	
<p><b>Policy SL2: River Wye Special Area of Conservation (SAC)</b></p> <p>All proposals must demonstrate that they protect, conserve, and enhance the natural environment in accordance with the principles in Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3. This includes demonstrating to a high standard, so that the competent authority may be sure, that the proposal will not have an adverse effect on the conservation objectives of the River Wye Special Area of Conservation (SAC) and to species of European importance. Planning permission will only be granted if it is shown so that the planning authority can be certain that the proposal, with</p>	<p><b>See above for Policies LD1, LD2 and LD3.</b></p> <p><b>Policy SD3 – Sustainable water management and water resources</b></p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation. This will be achieved by ensuring that:</p> <ol style="list-style-type: none"> <li>1. development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire;</li> <li>2. development is designed to be safe, taking into account the lifetime of the development and the need to adapt to climate change by setting appropriate floor levels, providing safe pedestrian and vehicular access, where</li> </ol>	<p>NDP Policy SL2 is included in the Plan in response to ongoing water quality issues in the River Wye SAC.</p> <p>It is in general conformity with Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3 which require development proposals to not have adverse effects on wildlife and water quality.</p>



<p>mitigation, will not increase nutrient inputs to the SAC.</p>	<p>appropriate, implementing a flood evacuation management plan and avoiding areas identified as being subject to Rapid Inundation from a breach of a Flood Defence;</p> <p>3. where flooding is identified as an issue, new development should reduce flood risk through the inclusion of flood storage compensation measures, or provide similar betterment to enhance the local flood risk regime;</p> <p>4. development will not result in the loss of open watercourse and culverts should be opened up where possible to improve drainage and flood flows. Proposals involving the creation of new culverts (unless essential to the provision of access) will not be permitted;</p> <p>5. development includes appropriate sustainable drainage systems (SuDS) to manage surface water appropriate to the hydrological setting of the site. Development should not result in an increase in runoff and should aim to achieve a reduction in the existing runoff rate and volumes, where possible;</p> <p>6. water conservation and efficiency measures are included in all new developments, specifically:</p> <ul style="list-style-type: none"> <li>• residential development should achieve Housing - Optional Technical Standards - Water efficiency standards. At the time of adoption the published water efficiency standards were 110 litres/person/ day; or</li> <li>• non-residential developments in excess of 1,000 m2 gross floorspace to achieve the equivalent of BREEAM 3 credits for water consumption as a minimum;</li> </ul> <p>7. the separation of foul and surface water on new developments is maximised;</p> <p>8. development proposals do not lead to deterioration of EU Water Framework Directive water body status;</p> <p>9. development should not cause an unacceptable risk to the availability or quality of water resources; and</p> <p>10. in particular, proposals do not adversely affect water quality, either directly through unacceptable pollution of</p>	
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	<p>surface water or groundwater, or indirectly through overloading of Wastewater Treatment Works.</p> <p>Development proposals should help to conserve and enhance watercourses and riverside habitats, where necessary through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of the aquatic environment. Proposals which are specifically aimed at the sustainable management of the water environment will in particular be encouraged, including where they are required to support business needs such as for agriculture. Innovative measures such as water harvesting, winter water storage and active land use management will also be supported. In all instances it should be demonstrated that there will be no significant adverse landscape, biodiversity or visual impact.</p> <p><b>Policy SD4 - Wastewater treatment and river water quality</b></p> <p>Development should not undermine the achievement of water quality targets for rivers within the county, in particular through the treatment of wastewater. In the first instance developments should seek to connect to the existing mains wastewater infrastructure network. Where this option would result in nutrient levels exceeding conservation objectives targets, in particular additional phosphate loading within a SAC designated river, then proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development. This may involve:</p>	
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	<ul style="list-style-type: none"> <li>• incorporating measures to achieve water efficiency and/or a reduction in surface water discharge to the mains sewer network, minimising the capacity required to accommodate the proposal, in accordance with policy SD3;</li> <li>• phasing or delaying development until further capacity is available;</li> <li>• the use of developer contributions/community infrastructure levy funds to contribute to improvements to waste water treatment works or other appropriate measures to release capacity to accommodate new development;</li> <li>• in the case of development which might lead to nutrient levels exceeding the limits for the target conservation objectives within a SAC river, planning permission will only be granted where it can be demonstrated that there will be no adverse effect on the integrity of the SAC in view of the site's conservation objectives; and where the nutrient levels set for conservation objectives are already exceeded, new development should not compromise the ability to reduce levels to those which are defined as favourable for the site. Where evidence is submitted to the local planning authority to indicate connection to the wastewater infrastructure network is not practical, alternative foul drainage options should be considered in the following order: ' <ul style="list-style-type: none"> <li>• provision of or connection to a package sewage treatment works (discharging to watercourse or soakaway);</li> <li>• septic tank (discharging to soakaway). With either of these non-mains alternatives, proposals should be accompanied by the following: <ul style="list-style-type: none"> <li>• information to demonstrate there will be no likely significant effect on the water quality, in particular of designated national and European sites, especially the River Wye SAC and the River Clun SAC; or</li> <li>• where there will be a likely significant effect upon a SAC river, information to enable the council, in its role as a</li> </ul> </li> </ul> </li> </ul>	
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	<p>competent authority, to ascertain that the development will have no adverse effect on the integrity of the SAC;</p> <ul style="list-style-type: none"> <li>• in relation to water courses with national or European nature conservation designations, the inclusion of measures achieving the highest standard of water quality discharge to the natural drainage system including provision for monitoring. The use of cesspools will only be considered in exceptional circumstances and where it can be demonstrated that sufficient precautionary measures will ensure no adverse effect upon natural drainage water quality objectives.</li> </ul>	
<p><b>Policy SL3: Community Facilities</b></p> <p>The following community facilities in Stoke Cross and Stoke Lacy are identified on Map 3A: Stoke Lacy Policies Map and Map 3B: Stoke Cross Policies Map:</p> <ul style="list-style-type: none"> <li>• SL3/1 The Plough Inn;</li> <li>• SL3/2 Village Hall; and</li> <li>• SL3/3 Church of St Peter &amp; St Paul</li> </ul> <p>Proposals involving the loss of a community facility or local service will be strongly resisted. In exceptional circumstances, however proposals for a change of use of a community facility or local service will be considered where it has been clearly demonstrated, following at least 12 months open marketing at a price</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>NDP Policy SL3 recognises the importance of the 3 identified local community facilities to residents of the parish and seeks to promote their continued use as community facilities.</p> <p>This Policy is in general conformity with Core Strategy SC1 which provides general protection to existing local facilities, unless alternative facilities are available, or the facility is not required and has been vacant and marketed.</p>

<p>reflective of market value, that the use is no longer viable, or it will be replaced by an equivalent or enhanced community use in an equally accessible location.</p>	<p>Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available, or can be 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 SL4: Local Green Space</b></p> <p>The following areas as identified on Map 3A Stoke Lacy Policies Map are protected as Local Green Spaces:</p> <ul style="list-style-type: none"> <li>• SL4/1 Netherwood; and</li> <li>• SL4/2 Churchyard.</li> </ul> <p>Proposals for development will only be allowed in very special circumstances.</p>	<p><b>Policy SS6 - Environmental quality and local distinctiveness</b></p> <p>Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> <li>-the network of green infrastructure</li> </ul> <p><b>Policy LD3 – Green infrastructure</b></p> <p>Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:</p> <ol style="list-style-type: none"> <li>1. identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain;</li> <li>2. provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network; and</li> </ol>	<p>NDP Policy SL4 identifies 2 areas of Local Green Space which are important to local people.</p> <p>The Core Strategy does not address Local Green Spaces but recognises the need to protect Green Infrastructure in Policy SS6 and Policy LD3. The 2 areas of Local Green Space are part of the Green Infrastructure of the Parish.</p>

	3. integration with, and connection to, the surrounding green infrastructure network.	
<p><b>Policy SL5: Public Open Space</b></p> <p>Proposals for new public open spaces to meet local recreational and community needs or improvements to existing spaces should be proportionate to the development concerned. Schemes will be supported where they include one or more of the following:</p> <ul style="list-style-type: none"> <li>• Areas of woodland, trees and wildflower planting to support local biodiversity;</li> <li>• Planting of herbs and local traditional fruit trees and bushes;</li> <li>• Seating and picnic areas;</li> <li>• A play area for young children;</li> <li>• Facilities for teenagers; and</li> <li>• Accessible and safe provision for older people and those with mobility problems.</li> </ul> <p>Designs should ensure accessibility for all through provision of adequate car and cycle parking and safe pedestrian and cycle access and</p>	<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 on-site 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 LD3 – Green infrastructure</b></p> <p>Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:</p> <ol style="list-style-type: none"> <li>1. identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain;</li> <li>2. provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network; and</li> </ol>	<p>NDP Policy SL5 has been prepared in response to the lack of play and open space provision in the Parish. Comments from public consultations showed that there was local support for more public open space and the Policy includes suggestions for the types of facilities which would be welcomed in designs.</p> <p>This is in general conformity with Core Strategy Policy OS2 which sets out that provision for open space and recreation facilities will be sought to meet the needs of the community. Policy LD3 sets out that development proposals should plan for the delivery of new green infrastructure.</p>

<p>paths. Preferably proposals should be centrally located, within walking distance of residential areas but sited and designed to minimise disturbance and protect residential amenity.</p> <p>All schemes should be designed to minimise future maintenance costs and be designed in consultation with the local community.</p>	<p>3. integration with, and connection to, the surrounding green infrastructure network.</p>	
<p><b>Policy SL6: Pattern and Layout of Buildings</b></p> <p>Development proposals should demonstrate how they have incorporated Design Code 01 Pattern and layout of buildings (see Appendix 7). In particular designs for development across the neighbourhood area should:</p> <ol style="list-style-type: none"> <li>1. Reflect local spatial character by adopting similar development layouts;</li> <li>2. Have a density and scale which respond to the local character of low density and small scale developments;</li> <li>3. Be designed to be permeable, providing vehicular and non-vehicular connections to the existing settlement;</li> </ol>	<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. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> <li>• landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;</li> <li>• biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest;</li> <li>• historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings;</li> <li>• the network of green infrastructure;</li> </ul>	<p>NDP Policies SL6, SL7, SL8 and SL9 have been prepared following the commissioning of design codes to ensure new development responds positively to local context and character, including the distinctive character of each settlement and the wider rural area.</p> <p>These are in general conformity with Core Strategy Policy SS6 which requires development proposals to conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular landscape, townscape and local distinctiveness.</p> <p>Policy LD1 sets out that development proposals should demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and</p>



<p>4. Integrate opportunities for contextual views, habitat corridors, and active travel;</p> <p>5. Use layouts which respond to site specific micro-climates to increase the environmental comfort for building users, both internally and externally; and</p> <p>6. Support passive surveillance for enhanced security, particularly relating to streets, pedestrian/bicycle access, play and parking areas.</p> <p><b>Character Area Specific Design Codes</b></p> <p><b>In CA1 - Stoke Lacy Conservation Area and Village:</b></p> <p>7. The quantity of roadside facing development should be restricted to ones or twos; and</p> <p>8. Communal access and development that extends further than one plot back is supported.</p> <p><b>In CA2 - Stoke Cross:</b></p> <p>9. Centrally located new development could support sensitive mixed-uses; and</p> <p>10. New developments should have not more than two</p>	<ul style="list-style-type: none"> <li>• local amenity, including light pollution, air quality and tranquillity;</li> <li>• agricultural and food productivity;</li> <li>• physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.</li> </ul> <p>The management plans and conservation objectives of the county's international and nationally important features and areas will be material to the determination of future development proposals. Furthermore assessments of local features, areas and sites, defining local distinctiveness in other development plan documents, Neighbourhood Development Plans and Supplementary Planning Documents should inform decisions upon proposals.</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</li> <li>• maintain and extend tree cover where important to amenity, through the retention of important trees,</li> </ul>	<p>enhancement of the setting of settlements and designated areas.</p>
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<p>dwelling facing the A465 with a primary elevation.</p> <p><b>In CA3 - Outer Neighbourhood Plan Area, subject to Herefordshire Local Plan Core Strategy 2011 – 2031 Policy RA3 – Herefordshire’s countryside:</b></p> <ol style="list-style-type: none"> <li>11. The countryside and agricultural land should be protected.</li> <li>12. Small-scale farm conversions which respect the original farm building layouts are supported; and</li> <li>13. High-quality, sensitively sited and appropriate new houses on single plots may be suitable.</li> </ol> <p><b>Policy SL7: Green Infrastructure</b> Development proposals should demonstrate how they have incorporated Design Code 02 Green infrastructure and open space (see Appendix 7). In particular schemes should:</p> <ol style="list-style-type: none"> <li>1. Retain mature trees and hedges and ensure new planting is appropriate to the local microclimate and soil type, and species are climate resilient;</li> </ol>	<p>appropriate replacement of trees lost through development and new planting to support green infrastructure.</p>	
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<p>2. Include orchards and hopyards where possible;</p> <p>3. Incorporate green infrastructure to provide interconnectivity between existing green infrastructure networks; and</p> <p>4. Use SuDS (Sustainable Drainage Systems) where appropriate.</p> <p><b>Character Area Specific Design Codes</b></p> <p><b>In CA2 - Stoke Cross:</b></p> <p>5. Sufficient planting should be incorporated to visually mitigate new development.</p> <p><b>In CA3 - Outer Neighbourhood Plan Area, subject to Herefordshire Local Plan Core Strategy 2011 – 2031 Policy RA3 – Herefordshire’s countryside:</b></p> <p>6. Schemes should reduce habitat loss, increase tree cover and interconnect green infrastructure networks.</p> <p><b>Policy SL8: Detailing and Materials</b></p> <p>Designs should demonstrate how they have incorporated the neighbourhood area-wide Design Principles set out in Design Code 04 Architecture and details and Design Code 05 Materials</p>		
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<p>(see Appendix 7). In particular schemes should:</p> <ol style="list-style-type: none"> <li>1. Maintain the traditional vernacular of two story pitched roofed houses, although bungalows may be acceptable to provide variation in house types particularly where the local context includes single storey conversions of former farm buildings;</li> <li>2. Use buildings with a vertical emphasis to mark boundaries and create a sense of enclosure;</li> <li>3. Include detailing such as pitched porches, dormers and chimneys. Flat roofs for buildings, extensions, garages and dormer windows should be avoided. Decorative bricks such as Flemish Bond and contrasting lintels and string courses are encouraged where they accord with settlement character;</li> <li>4. Incorporate generous eave and verge overhangs and traditional, natural or sustainably sourced innovative materials in soffits or verge cappings; and</li> <li>5. Include innovation such as green/brown roofs or standing</li> </ol>		
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<p>seam where appropriate to the local context.</p> <ol style="list-style-type: none"> <li>6. Use suitable materials and façade treatments where building elevations are exposed and subject to prevailing winds and rain, taking into account sustainability and longevity. The preference is for locally sourced materials such as Herefordshire brick and stone which is aligned with local geological character;</li> <li>7. Give careful attention to matching the tonal attributes and variation across facades;</li> <li>8. Consider timber frame construction sourced from local suppliers; d. Use slate or terracotta tiles in roofs. Standing-seam and timber shingles roofs may offer an innovative alternative to slate or terracotta;</li> <li>9. Avoid low quality concrete tiles; and</li> <li>10. Use brick or stone walls or native planted hedge in boundary treatments.</li> </ol> <p><b>Character Area Specific Design Codes</b>  <b>In CA1 - Stoke Lacy Conservation Area and Village</b></p>		
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<p>11. Strong architectural variation is encouraged with distinct dwelling types;</p> <p>12. High-quality innovation should compliment traditional architecture, the Conservation Area and wider character area; and</p> <p>13. Single plot infill or small-scale farm style developments should vary building typology.</p> <p>14. Materials should be sympathetic to the Conservation Area and setting.</p> <p><b>In CA2 - Stoke Cross</b></p> <p>15. Greater architectural variation should be demonstrated across development; and</p> <p>16. Pitched roofs of 45° or greater are encouraged.</p> <p><b>In CA2 - Stoke Cross &amp; CA3 - Outer Neighbourhood Plan Area, subject to Herefordshire Local Plan Core Strategy 2011 – 2031 Policy RA3 – Herefordshire’s countryside:</b></p> <p>17. New development in remote areas should accord architecturally with nearby precedent.</p> <p>18. New development should use unifying local materials to increase synergy with nearby developments; and</p>		
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<p>Locally characteristic brick, stone or hedge boundaries should be specified, and timber panel or feather edge fencing should be avoided on primary elevations.</p> <p><b>Policy SL9: Conversions, Extensions and Infill</b></p> <p>Designs should demonstrate how they have incorporated the neighbourhood area-wide Design Principles set out in Design Code 06 Building modifications, extension, conversion and plot infill (see Appendix 7). In particular extension schemes should:</p> <ol style="list-style-type: none"> <li>1. Use suitable bricks of similar appearance and size to the host building.</li> <li>2. Be subordinate to the existing building: the original building should remain the dominant element of the property regardless of the number of extensions;</li> <li>3. Not cause unacceptable detriment to the privacy of neighbouring dwellings;</li> <li>4. Incorporate an architectural style which accords with the host building, by using the same or innovative complementary design language, character and fenestration rhythm;</li> </ol>		
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<p>5. Consider modern designs with contrasting high-quality materials for extensions to listed or heritage buildings of significance, with clear definition between old and new;</p> <p>6. Be thermally efficient, secure and provide enough natural light, where external office spaces are provided for working from home; and</p> <p>7. Infill plot development should respect the scale, massing and architectural details of the character area within which it sits.</p> <p><b>Character Area Specific Design Codes</b>  <b>In CA1 - Stoke Lacy Conservation Area and Village and CA3 - Outer Neighbourhood Plan Area, subject to Herefordshire Local Plan Core Strategy 2011 – 2031 Policy RA3 – Herefordshire’s countryside:</b></p> <p>8. The character of old farms and farm buildings should not be simplified and lost through re-development.</p> <p><b>In CA2 - Stoke Cross:</b></p> <p>9. Extensions or building modification should enhance the overall architectural character</p>		
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<p>of the property and create synergy with Neighbourhood Area character.</p>		
<p><b>Policy SL10: Promoting Innovative and Sustainable Design</b> All development proposals should demonstrate how designs have incorporated high standards of resource and energy efficiency as recommended in the guidance set out in Design Code 07 Waste, recycling and utilities and Design Code 08 Sustainability and building performance (see Appendix 7).</p> <p><b>1. Waste, Recycling and Utilities</b></p> <p>Developments should integrate the following into designs:</p> <ol style="list-style-type: none"> <li>Appropriately designed storage for waste and recycling;</li> <li>Renewable energy technologies;</li> <li>Simple rainwater harvesting facilities such as water butts to reduce water consumption and provide opportunities for water storage and re-use of grey water;</li> </ol>	<p><b>Policy SS7- Addressing climate change</b></p> <p>Development proposals will be required to include measures which will mitigate their impact on climate change.</p> <p>At a strategic level, this will include:</p> <ul style="list-style-type: none"> <li>• focussing development to the most sustainable locations;</li> <li>• delivering development that seeks to reduce the need to travel by private car and which encourages sustainable travel options including walking, cycling and public transport;</li> <li>• designing developments to reduce carbon emissions and use resources more efficiently;</li> <li>• promoting the use of decentralised and renewable or low carbon energy where appropriate;</li> <li>• supporting affordable, local food production, processing and farming to reduce the county's contribution to food miles;</li> <li>• protecting the best agricultural land where possible;</li> </ul> <p>Key considerations in terms of responses to climate change include:</p> <ul style="list-style-type: none"> <li>• taking into account the known physical and environmental constraints when identifying locations for development;</li> <li>• ensuring design approaches are resilient to climate change impacts, including the use of passive solar design for heating and cooling and tree planting for shading;</li> </ul>	<p>NDP Policy SL10 has also been prepared building on design codes.</p> <p>The Policy encourages new development to respond positively to the climate emergency going forward and to maximise resource efficiency and minimise carbon emissions.</p> <p>This is in general conformity with Core Strategy Policy SS7 which requires development proposals to address climate change through various measures.</p> <p>Policy SD3 requires development to include water conservation and efficiency measures.</p>

<p>d. Sensitive lighting design in accordance with NDP Policy SL1. Lighting design should incorporate ambient lighting levels and identify sensitive receptors to artificial lighting; and</p> <p>e. Electric vehicle charging, mobility vehicle charging, cycle charging and secure storage.</p> <p><b>2. Sustainability and building performance</b></p> <p>Developments should include the following:</p> <p>a. High levels of air tightness through insulation, draught proofing and glazing;</p> <p>b. Use of low carbon heating and energy technologies;</p> <p>c. Consideration of increased occurrence of future adverse weather events such as extreme heat, cold and storm events which increase flood risk; buildings should be designed to be well ventilated and cool in summer, warm in winter, and flood resilient; and</p> <p>d. Landscaping of gardens and green spaces to reduce flood risk and provide shading and shelter.</p>	<ul style="list-style-type: none"> <li>• minimising the risk of flooding and making use of sustainable drainage methods;</li> <li>• reducing heat island effects (for example through the provision of open space and water, planting and green roofs);</li> <li>• reduction, re-use and recycling of waste with particular emphasis on waste minimisation on development sites; and</li> <li>• developments must demonstrate water efficiency measures to reduce demand on water resources.</li> </ul> <p>Adaptation through design approaches will be considered in more locally specific detail in a Design Code Supplementary Planning Document.</p> <p><b>Policy SD3 – Sustainable water management and water resources</b></p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation.</p> <p>...</p> <p>6. water conservation and efficiency measures are included in all new developments, specifically:</p> <ul style="list-style-type: none"> <li>• residential development should achieve Housing - Optional Technical Standards - Water efficiency standards. At the time of adoption the published water efficiency standards were 110 litres/person/ day; or</li> <li>• non-residential developments in excess of 1,000 m2 gross floorspace to achieve the equivalent of BREEAM 3 credits for water consumption as a minimum;</li> </ul>	
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<p>3. Renewable technologies should be well integrated to protect the existing character of the building in accordance with Design Code 06. PV, solar thermal or other building mounted services should be located discretely. Where new technologies are proposed for listed buildings or other heritage assets, installation should respect the key elevations.</p> <p>4. Developments which aim to renovate, upgrade and enhance derelict or degrading properties should be encouraged as re-use is more sustainable.</p>		
<p><b>Policy SL11: Employment Site</b></p> <p>The Wye Valley Brewery, Woodend Lane Business Park and the outdoor storage business as identified on Map 3B: Stoke Cross Policies Map are safeguarded as employment land and buildings under Herefordshire Local Plan Core Strategy Policy E2 – Redevelopment of existing employment land and buildings.</p>	<p><b>Policy E2 – Redevelopment of existing employment land and buildings</b></p> <p>Employment land and buildings rated as ‘best’ and ‘good’ using the methodology in the Employment Land Study 2012 (or successor document) will be safeguarded from redevelopment to other non-employment uses. Proposals which would result in the loss of employment land rated as ‘moderate’ will be permitted where:</p> <ol style="list-style-type: none"> <li>1. the development of the site for other uses would not result in an overall shortage in the quality and quantity of employment land supply in the area; or</li> <li>2. there would be a net improvement in amenity through the removal of a non-conforming use from within a residential</li> </ol>	<p>NDP Policy SL11 identifies existing employment sites at Stoke Lacy for safeguarding. This is in general conformity with Core Strategy Policy E2.</p>

	<p>area, and where an alternative use would offer amenity benefits. For sites in existing employment use, consideration should also be given to the ability to relocate existing occupiers where this is necessary; or</p> <p>3. the proposal would not result in a piecemeal loss of employment land where there is potential for a more comprehensive scheme;</p> <p>In all cases:</p> <ul style="list-style-type: none"> <li>- the viability of the development proposal must be confirmed through a comprehensive assessment; and</li> <li>- there must be evidence of appropriate and active marketing of at least 12 months for a change of use of a B Class employment use and it can be shown that this marketing has been unsuccessful.</li> </ul> <p>The provision of ancillary and complementary uses which help meet the day-to-day needs of employment sites and their employees and improve the sites' attractiveness to businesses, will be permitted where they are of a scale which does not impact on the overall supply of employment land.</p>	
<p><b>Policy SL12: Agricultural buildings and polytunnels requiring planning permission</b></p> <p>The growth and expansion of rural businesses through conversions and through well-designed new buildings that respect the character of the countryside will be supported.</p> <p>Development proposals must respect the following:</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 SL12 sets out design criteria for new agricultural buildings and poly tunnels in the rural area, where planning consent is required.</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</p>

<ol style="list-style-type: none"> <li>1. Amenity of neighbours, with regards to noise, odour and outlook;</li> <li>2. Careful siting of new buildings and landscaping schemes to minimise visual and landscape impacts and larger buildings should be “broken up” via the sensitive use of materials, colour or ridge height;</li> <li>3. Use of natural materials, including wood and the use of neutral, earth tones to help blend new buildings into their surroundings; and</li> <li>4. Use of energy and resource efficiency measures.</li> </ol>		<p>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>
<p><b>Policy SL13: Proposals for New Renewable Energy Technology Schemes</b></p> <p>Small scale renewable energy or low carbon energy proposals that demonstrably benefit the community, and respect local character, residential amenity and highway safety will be supported.</p> <p>Such schemes should be located on brown field sites or be roof mounted and avoid the use of productive agricultural land.</p>	<p><b>Policy SD2 – Renewable and low carbon energy generation</b></p> <p>Development proposals that seek to deliver renewable and low carbon energy will be supported where they meet the following criteria:</p> <ol style="list-style-type: none"> <li>1. the proposal does not adversely impact upon international or national designated natural and heritage assets;</li> <li>2. the proposal does not adversely affect residential amenity;</li> <li>3. the proposal does not result in any significant detrimental impact upon the character of the landscape and the built or historic environment and</li> <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>NDP Policy SL13 supports small suitably scale renewable energy technology infrastructure that benefit the community and respect local character and highway safety.</p> <p>This Policy is in general conformity with Core Strategy SD2 which supports renewable and low carbon energy development subject to various criteria including consideration of impacts on natural and heritage assets.</p>

	<p>In the case of energy generation through wind power developments, permission will only be granted for such proposals where:</p> <ul style="list-style-type: none"> <li>• the proposed site is identified in a Neighbourhood Development Plan or other Development Plan Document as a suitable site for wind energy generation; and</li> <li>• following consultation with local residents, it can be demonstrated that the planning impacts identified can be fully addressed, and therefore the proposal has the backing of the local community.</li> </ul>	
<p><b>Policy SL14: Tourism and Rural Enterprise</b></p> <p>Development proposals for small scale tourism and rural enterprise will be supported in Stoke Lacy Parish where they conform to the relevant Design Codes and:</p> <ol style="list-style-type: none"> <li>1. Development comprises the sensitive conversion of former agricultural buildings or where new development is proposed, development is of a high design quality which is sensitive to the character of the surrounding rural area;</li> <li>2. Schemes provide visitor accommodation or small business units to support local rural diversification and employment opportunities;</li> <li>3. Suitable and safe access is provided that encourages active travel</li> </ol>	<p><b>Policy RA6 - Rural Economy</b></p> <p>Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported. A range of economic activities will be supported, including proposals which:</p> <ul style="list-style-type: none"> <li>• support and strengthen local food and drink production;</li> <li>• support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses;</li> <li>• involve the small scale extension of existing businesses;</li> <li>• promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism;</li> <li>• promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced;</li> <li>• support the retention of existing military sites;</li> <li>• support the retention and/ or diversification of existing agricultural businesses;</li> </ul>	<p>NDP Policy SL14 supports rural enterprise and schemes that contribute to and strengthen the visitor and tourist economy. Local criteria are set out to guide decisions on planning applications, taking account of the very rural area and distinctive local character.</p> <p>This is in general conformity with Core Strategy Policy RA6 which supports proposals which diversify the rural economy including sustainable tourism, where they are of appropriate scale, protect residential amenity and do not cause adverse impacts on the local road network.</p> <p>Policy E4 supports proposals that enhance existing, and encourage new, accommodation and attractions throughout the county, recognising</p>

<p>modes as the preferred mode of transport, and there is adequate on-site car and cycle parking for visitors and occupants;</p> <p>4. Applicants can demonstrate that the local highway network is adequate in terms of design and capacity to cater for any increases in traffic generation; and</p> <p>5. The amenity of any neighbouring residential areas is protected, and noise and light pollution are minimised.</p> <p>Proposals for farm/village shops and cafes will be encouraged.</p>	<p>Planning applications which are submitted in order to diversify the rural economy will be permitted where they:</p> <ul style="list-style-type: none"> <li>• ensure that the development is of a scale which would be commensurate with its location and setting;</li> <li>• do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise, dust, lighting and smell;</li> <li>• do not generate traffic movements that cannot safely be accommodated within the local road network; and</li> <li>• do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.</li> </ul> <p><b>Policy E4 - Tourism</b></p> <p>Herefordshire will be promoted as a destination for quality leisure visits and sustainable tourism by utilising, conserving and enhancing the county's unique environmental and heritage assets and by recognising the intrinsic character and beauty of the countryside. In particular, the tourist industry will be supported by a number of measures including:</p> <ol style="list-style-type: none"> <li>1. recognising the unique historic character of Hereford and the market towns as key visitor attractions and as locations to focus the provision of new larger scale tourist development;</li> <li>2. the development of sustainable tourism opportunities, capitalising on assets such as the county's landscape, rivers, other waterways and attractive rural settlements, where there is no detrimental impact on the county's varied natural and heritage assets or on the overall character and quality of the environment. Particular regard will be had to conserving the landscape and scenic beauty in the Areas of Outstanding Natural Beauty;</li> <li>3. retaining and enhancing existing, and encouraging new, accommodation and attractions throughout the county,</li> </ol>	<p>the county's many assets as opportunities.</p>
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	<p>which will help to diversify the tourist provision, extend the tourist season and increase the number of visitors staying overnight. In particular proposals for new hotels in Hereford will be encouraged. Applicants will be encouraged to provide a 'Hotel Needs Assessment' for any applications for new hotels;</p> <p>4. ensuring that cycling, walking and heritage tourism is encouraged by facilitating the development of long distance walking and cycling routes, food and drink trails and heritage trails, including improvements to public rights of way, whilst having special regard for the visual amenity of such routes and trails, and for the setting of heritage assets in their vicinity; and</p> <p>5. the safeguarding of the historic route of the Herefordshire and Gloucestershire Canal (shown on the Policies Map), together with its infrastructure, buildings, towpath and features. Where the original alignment cannot be re-established, a corridor allowing for deviations will be safeguarded. New developments within or immediately adjoining the safeguarded corridor will be required to incorporate land for canal restoration. Development not connected with the canal that would prevent or prejudice the restoration of a continuous route will not be permitted.</p>	
<p><b>Policy SL15: Improving Accessibility and Sustainable Travel</b></p> <p>Proposals for new development and conversions should promote and encourage walking and cycling and use of public transport. Wherever possible, schemes for new housing and employment related development</p>	<p><b>Policy SS4 Movement and Transportation</b></p> <p>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 SL15 promotes walking, cycling and use of public transport in response to local concerns about rural traffic.</p> <p>The Policy encourages developments to connect to PROW and bus routes and to include cycle storage and electric charging. Developer contributions may be sought to</p>



<p>should conform to Design Code 02 Green infrastructure, active travel and open space and:</p> <ol style="list-style-type: none"> <li>1. Develop and enhance pedestrian and cycle route links to local amenities and bus stops;</li> <li>2. Provide suitable and secure storage provision for bicycles;</li> <li>3. Include external electric charging points for vehicles and bicycles;</li> <li>4. Provide street connections to enhance connectivity within and through the development and parish, particularly by improving pedestrian and cycling connectivity along the A465, to existing Public Rights of Way, and to the countryside; and</li> <li>5. Include active travel infrastructure, such as where it enhances links and connects developments to public transport.</li> </ol>	<p>Proposals to provide new and improved existing public transport, walking and cycling infrastructure will be supported. Where appropriate, land and routes will be safeguarded as required in future local or Neighbourhood Development Plans and developer contributions, which meet the statutory tests, sought to assist with the delivery of new sustainable transport infrastructure, including that required for alternative energy cars.</p> <p><b>Policy MT1 - Traffic management, highway safety and promoting active travel</b></p> <p>Development proposals should incorporate the following principle requirements covering movement and transportation:</p> <ol style="list-style-type: none"> <li>1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development;</li> <li>2. promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport;</li> </ol> <p>....</p>	<p>improve linkages between the 2 villages.</p> <p>Policy SL15 is in general conformity with Core Strategy Policies SS4 and MT1 which promote walking and cycling and access to public transport.</p>
<p><b>Policy SL16: Development within the Settlement Boundaries</b></p> <p>Proposals for new housing development will be supported within the identified Settlement Boundaries</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>NDP Policy SL16 supports development within the identified settlement boundaries of the 2 settlements of Stoke Cross and Stoke Lacy which are listed in the Core Strategy as suitable for development.</p>

<p>of Stoke Cross and Stoke Lacy as shown on Map 3A: Stoke Lacy Policies Map and Map 3B: Stoke Cross Policies Map where they conform to the relevant Design Codes and:</p> <ol style="list-style-type: none"> <li>1. Proposals are small in scale to protect local landscape character and setting. ‘Small in scale’ comprises developments of 1-3 houses, or up to 5 houses where the proposal can demonstrate high-quality design which responds positively to the local context, Design Codes and design policies in the NDP;</li> <li>2. Suitable and safe access is provided particularly where this encourages active travel;</li> <li>3. The amenity of neighbouring and future residents is protected;</li> <li>4. Development does not exacerbate flood risk and where possible provides a betterment; and</li> <li>5. Suitable drainage and wastewater treatment is provided in line with Herefordshire Local Plan Core Strategy Policy SD4 Wastewater treatment and river water quality.</li> </ol>	<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>The use of previously developed land in sustainable locations will be encouraged. 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> <table border="1" data-bbox="734 1075 1505 1145"> <tr> <td>Rural settlements – see list in Place Shaping section</td><td>More limited range of services and some limited development potential but numerous locations</td><td>5,300</td></tr> <tr> <td colspan="2">Total</td><td>16,500</td></tr> </table> <p><b>Policy RA1 – Rural housing distribution</b></p> <p>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</p>	Rural settlements – see list in Place Shaping section	More limited range of services and some limited development potential but numerous locations	5,300	Total		16,500	<p>The Policy takes into consideration the fact that the minimum housing target for the Parish has been met and substantially exceeded and therefore only small scale, infill and backland development is supported up to 2031.</p> <p>This is in general conformity with Core Policy SS2 which sets out that the housing requirement for Herefordshire over the Plan period is 16,500 new homes. In the rural areas new housing should meet housing needs and requirements, support the economy and local services and be responsive to community needs.</p> <p>The Policy is also in general conformity with Core Strategy Policy RA1 which sets out that the rural areas will be required to provide 5,300 new homes over the Plan period, including a target growth figure of 15% for the Bromyard rural Housing Area and Policy RA2 which guides development in the rural area to identified settlements (including Stoke Cross/Stoke Lacy in Fig 4.14).</p>
Rural settlements – see list in Place Shaping section	More limited range of services and some limited development potential but numerous locations	5,300						
Total		16,500						

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 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.

Policy RA1 – Rural housing distribution continued

Rural HMA	Approximate number of dwellings 2011 - 2031	Indicative housing growth target (%)
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>	

(Stoke Lacy Parish lies within the Bromyard rural HMA where the minimum growth target is 15%)

### **Policy RA2 - Housing in settlements outside Hereford and the market towns**

To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent

	<p>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.</p> <p>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 contributes to or is essential to the social well-being of the settlement concerned;</li> <li>2. Their locations make best and full use of suitable brownfield sites wherever possible;</li> <li>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</li> <li>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.</li> </ol>	
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	<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>- Figure 4.14 - Settlements which will be the main focus of proportionate housing development include Stoke Cross / Stoke Lacy.</p> <p><b>LD1 - Landscape and townscape</b>  <b>LD2 - Biodiversity and geodiversity</b>  <b>LD3 - Green infrastructure</b>  <b>SD3 - Sustainable water management and water resources</b>  <b>SD4 - Waste water treatment and river water quality</b></p>	
<p><b>Site Allocation SL16/1: Crossfield House, Stoke Cross</b></p> <p>The part of the garden at Crossfield House, Stoke Cross as shown on the Map 3B: Stoke Cross Policies Map is allocated for housing development for 2 dwellings.</p> <p>Development will be supported where:</p> <ol style="list-style-type: none"> <li>1. Suitable and safe access for all modes is provided to the A465 from the existing narrow road south of Woodland View and appropriate visibility onto the A465 is demonstrated;</li> </ol>	<p><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></p> <p><b>LD1 - Landscape and townscape</b>  <b>LD2 - Biodiversity and geodiversity</b>  <b>LD3 - Green infrastructure</b>  <b>SD3 - Sustainable water management and water resources</b>  <b>SD4 - Waste water treatment and river water quality</b></p>	<p>Site Allocation SL16/1 identifies a small residential development opportunity within the settlement boundary of Stoke Cross.</p> <p>This is in general conformity with Core Strategy Policy SS2 which sets out that 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.</p>

<p>2. Existing hedgerows and the pond on the site are retained where possible; and if removed mitigation measures include replacement / relocation and planting schemes use appropriate local native species; and</p> <p>3. Suitable mitigation measures are provided to protect and enhance the Priority Habitat area of Traditional Orchards to the south of the site.</p>		<p>The proposal is in general conformity with Core Strategy Policies RA1 and RA2 as it is for development within one of the named settlements and supports continued housing growth in the Bromyard rural HMA.</p>
<p><b>Policy SL17: Housing Mix</b> New residential development should demonstrate how it contributes to a suitable mix of tenure, type and size of dwelling across the Stoke Lacy Neighbourhood Area. Proposals should demonstrate how they respond to local needs for medium sized family housing (up to three bedrooms) with gardens, starter homes of two bedrooms, and housing designed for older people. Self-build schemes and schemes for larger housing which provide flexible space for homeworking will also be supported providing they conform to the Stoke Lacy Design Codes.</p>	<p><b>Policy RA2 - Housing in settlements outside Hereford and the market towns</b></p> <p>Housing proposals will be permitted where the following criteria are met:</p> <p>...</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><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 inclusive communities.</p> <p>...</p> <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>NDP Policy SL17 requires new housing proposals to contribute to a suitable mix of housing and to meet identified local need. The need for family and smaller housing and self-build schemes is evidenced from responses to NDP consultations about house types.</p> <p>This is in general conformity with Core Strategy Policy RA2 which sets out that housing proposals should generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.</p> <p>In addition, Core Strategy Policy H3 promotes a range and mix of housing units to help create balanced communities.</p>

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### 3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

#### **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 NDP must not breach the requirements of Chapter 8 of the Conservation of Habitats and Species Regulations 2017 (d).

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, effective from 28 December 2018, prescribes the following additional Basic Condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:

‘The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017’.

Regulation 106(1) of Chapter 8 states that: ‘a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under Regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required’.

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

The River Wye SAC can be sensitive to changes in water quantity and quality. There are some sections of the River Wye SAC, mainly the River Lugg catchment area, where the water quality targets are already exceeding set levels and therefore the river is failing its ‘favourable condition’ status. This area is subject to measure to reduce nutrients particularly phosphates in line with the targets.

The River Lugg is considered to be ‘failing’ its water quality targets because it has exceeded the phosphate limit over 3 years testing period. Testing is undertaken between March and September by the Environment Agency.

Stoke Lacy Parish falls within the Frome catchment area which forms part of the wider River Lugg catchment and failing its water quality objectives at present. Therefore an Appropriate Assessment has been undertaken.

Herefordshire Council prepared the **Environmental Report: Stoke Lacy Neighbourhood Area in December 2021** and the **Appropriate Assessment Report for: Stoke Lacy Neighbourhood Area in December 2021** – see <https://www.herefordshire.gov.uk/directory-record/5972/stoke-lacy-neighbourhood-development-plan>.

The **Non-Technical summary** of the SEA report (p1) 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.

Stoke Lacy Parish Council has undertaken to prepare an NDP and this process has been subject to environmental appraisal pursuant to the SEA Directive.

The parish of Stoke Lacy is situated to the north east of Herefordshire; about 4 miles south west of Bromyard and 10 miles north east of Hereford. The parish is rural in character and has a scattered farms and cottages.

The primary settlements of Stoke Lacy and Stoke Cross are highlighted within the Core Strategy for proportionate growth. The population of the parish is around 370. There are 2 ancient woodlands, 1 conservation area, 2 Local Wildlife sites. The parish is within the River Lugg hydrological catchment.

The draft Stoke Lacy NDP includes 7 objectives and it is intended that these objectives will be supported by 10 criteria based planning policies including one housing allocation and one employment site allocation. Alternative options were considered prior to reaching a decision over the format of the draft plan.

The environmental appraisal of the Stoke Lacy 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 provided a review and analysis of the NDP. Stage C involved preparing an Environmental Report and Stage D comprises a formal consultation on the Draft Plan itself.

Habitat Regulations Assessment (HRA) screening has been carried out and has determined that a full assessment is required. Natural England have concurred with this conclusion and a separate report have been produced.

On the whole, it is considered that the Stoke Lacy 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 proportional growth that is prescribed by strategic policy. There are no changes to the NDP are recommended as a result of the SEA.

Once made (adopted) by Herefordshire Council, the effects of the policies within the Stoke Lacy NDP will be monitored annually via the Council's Authority Monitoring Report (AMR).'

The **Executive summary** (p2) of the Appropriate Assessment sets out:

'This report addresses the Appropriate Assessment (AA) stage of the HRA and considers the likely significant effects on the integrity of the River Wye (including the River Lugg) SAC.

This report addresses the Appropriate Assessment stage; outlines the task undertaken, the findings and recommendations to support the Stoke Lacy Neighbourhood Plan through to adoption.

The initial Screening report January 2020 found that the River Wye (including the River Lugg) SAC is located 7km away from the parish boundary, the parish is however within the Lugg hydrological catchment.

The majority of the policies within the Stoke Lacy NDP are not site allocations but have criteria to support development. They would all require a further planning application.

The two site allocations within Stoke Lacy parish have also been assessed. It should be borne in mind that site allocations do not grant planning permission and all site allocations will be subject to a more detailed assessment at planning application stage.

The most significant issue with the Wye catchment is regarding water quality and these issues form the majority of the assessment of these policies. The proximity of the Wye has resulted in no direct disturbance on the qualifying feature of the SAC from the policies within the development plan.

At this stage the appropriate mitigation measures can also be considered against each of the policies. The table with appendix 3 indicates where this has been the case. Herefordshire Council are investigating a wide range of mitigation measures and working with partners to resolve the current water quality issues within the Lugg catchment. The mitigation measures references within the document could be expanded and refined prior to any planning permissions in association with the policies of this development plan are approved.

The NDP includes a specific nutrient neutrality policy (NDP Policy SL2: River Wye Special Area of Conservation (SAC)). The policy wording has been devised with the assistance of Natural England and Herefordshire Council legal and planning teams.

**The results of this Appropriate Assessment indicate that there will not be a significant effect on the integrity of the River Wye (including River Lugg) SAC when the mitigation and avoidance measures have been taken into account.'**

Further information on the updated SEA and HRA processes at Submission Stage is provided on the Stoke Lacy NDP pages of the Herefordshire Council website.

The prescribed conditions have 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.





