

# Dilwyn Neighbourhood Development Plan Basic Conditions Statement (January 2019)

## Section 1 - Introduction

This **Basic Conditions Statement** is prepared to accompany the **Dilwyn Neighbourhood Development Plan**.

It is submitted by Dilwyn Parish Council, which is the qualifying body under the Localism Act 2011. Dilwyn Neighbourhood Development Plan covers the Dilwyn Neighbourhood Plan area only and no other Neighbourhood Plan areas. The Local Plan for the Parish is the Herefordshire Local Plan Core Strategy (HCS) which was adopted on 16 October 2015. Herefordshire Council has also indicated it will prepare a Travellers Development Plan and a Natural Resources/Minerals and Waste Development Plan. It is expected that, in combination, these will comprise the Development Plan Documents for Dilwyn Parish. The NDP specifies the period for which it is to have effect, which is 2011-2031.

This Basic Conditions Statement has been prepared to show that the Dilwyn Neighbourhood Development Plan complies with the provisions of Schedule 4B of the Town and Country Planning Act 1990, as amended. The basic conditions required by this provision are that such plans should:

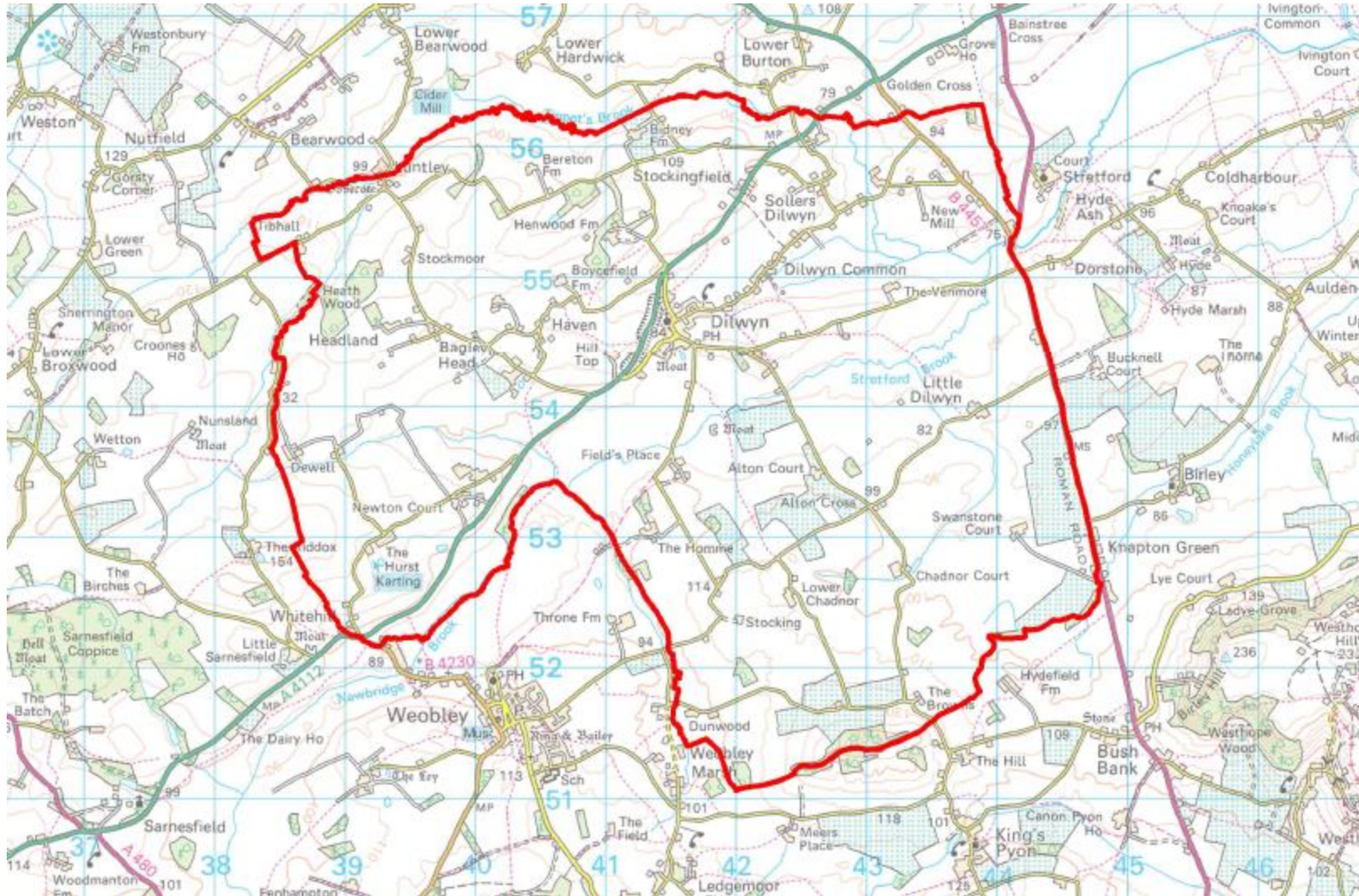
1. That having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan.
2. Contribute to the achievement of sustainable development.
3. Be in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
4. Not breach, and is otherwise compatible with, EU obligations.
5. Meet Prescribed conditions in relation to the Neighbourhood Development Plan and comply with prescribed matters in connection with the proposal for the Neighbourhood Development Plan. In this regard so far as they affect this

neighbourhood plan, the prescribed condition is that the 'making' of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012).

The first three matters are covered within the schedules in sections 2 and 3 of this document. The fourth and fifth matters are covered in section 4.

Dilwyn Neighbourhood Development Plan does not deal with excluded development which covers County matters, waste development, Annex 1 EIA development, or any nationally important infrastructure projects.

**Figure 1 – Dilwyn Neighbourhood Plan Area**



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**Figure 2 - Location of Dilwyn Parish within Leominster Housing Market Area.**



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## Section 2 – Contribution to the Achievement of Sustainable Development

Sustainable development – Core Principles of the Plan-led system (NPPF 2018)	Dilwyn Neighbourhood Development Plan Provisions
Genuinely plan-led empowering local people through a positive local vision for the area (NPPF para 15).	The community contributed to the preparation of the Neighbourhood Plan at a number of stages, and their views and comments were all given serious consideration. Events and surveys were undertaken to seek views. This included involving the community in setting a positive vision and objectives for the plan and the consideration of options. The extent of community involvement is set out in greater detail within the Consultation Statement.
Ensure that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed (NPPF para 59).	A positive approach has been taken to accommodating the level of new housing which the Herefordshire Core Strategy has determined for Dilwyn. Housing development requirements will be met through planning permissions already granted, the allocation of two housing sites and anticipated development on very small sites and plots within the settlement boundary. The Plan shows how it has accommodated more than the minimum target for new housing and how development should ensure the character and appearance of Dilwyn and its surrounding area are to be retained. The current specific housing requirements are described to inform developers.
Create the conditions in which businesses can invest, expand and adapt, supporting economic growth and productivity, taking into account both local business needs and wider opportunities for development. The area should build on its strengths, counter any weaknesses and address the challenges of the future, especially where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential (NPPF para 80).	The Plan provides flexibility to support the local economy where this is in scale with the rural nature of the Parish. Growth and expansion of local businesses is expected to result from working from home agricultural and rural business diversification and tourism, and mainly through small businesses. These enterprises will be encouraged where they are environmentally acceptable, of appropriate scale and do not to affect local amenity. These provisions reflect the Core Strategy approach to ensure such development is in scale with and does not adversely affect the local character.
Achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles (NPPF para 91).	There are limited development needs that would lead to any new mixed developments. Dilwyn Parish accommodates a range of services and facilities meeting local community needs and these are to be protected. The location in relation to Hereford and the market town of Leominster reduces the viability of many services and other land use needs that might be accommodated through a mixed-use scheme.

<p>Transport issues should be considered from the earliest stages of plan-making, addressing the potential impacts of development on transport networks; realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage; identifying and pursuing opportunities to promote walking, cycling and public transport use; taking account of the environmental impacts of traffic and transport infrastructure; and integrating patterns of movement, streets, parking and other transport considerations into the design of schemes, and contribute to making high quality places (NPPF para 102).</p>	<p>The Parish Council has a limited ability to influence many of the transport issues. Herefordshire Council controls roads within the parish. Some highways and transport issues were identified through consultations prior to preparing the NDP of a which a number might be progressed through discussion with the highway authority in accordance with Core Strategy policy SS4. Relevant design requirements in accordance with this objective have been identified.</p>
<p>Support the expansion of electronic communications networks, including next generation mobile technology and full fibre broadband connections (NPPF para 112).</p>	<p>Mobile phone and superfast broadband were identified as issues that have been addressed through an appropriate policy in the NDP.</p>
<p>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 (NPPF para 117).</p>	<p>Core Strategy policies covering pollution are considered appropriate to the Parish although provision is made to protect residential amenity, ensure adequate sewerage and foul water disposal, and address contaminated land should it be present on any housing site. Sites proposed in the NDP have been assessed against a range of relevant environmental criteria.</p>
<p>Creation of high-quality buildings and places is fundamental to what the planning and development process should achieve through good design (NPPF para 124).</p>	<p>Criteria have been set in a number of policies that would promote high standards of architecture and design for residential development, with site-specific requirements set out for the largest of the two proposed housing sites.</p>
<p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change (NPPF para 148).</p>	<p>The community recognises the importance of addressing climate change. The plan avoids proposals within the areas considered to be at risk of flooding. Provision is made for other appropriate environmental safeguards, the promotion of sustainable design and the sensitive promotion of renewable and low carbon energy.</p>
<p>Contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;</p>	<p>Policies in the NDP place particular emphasis upon protecting and enhancing the rural character of the Parish, and these will work in association with Herefordshire Local Plan Core Strategy's local distinctiveness and sustainable design policies. The elements referred to in the NPPF are seen as very important, and a high priority by the local community. The Plan seeks to balance the need for housing</p>

<p>recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem; minimising impacts on and providing net gains for biodiversity; preventing new and existing development from contributing to, unacceptable levels of soil, air, water or noise pollution or land instability, and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land (NPPF para 170).</p>	<p>and employment with seeking to protect the high-quality landscape character and quality of the surrounding countryside. Herefordshire Local Plan Core Strategy does not set out any proposals for major development within the Parish. The Parish Council is aware, in particular, that it must contribute towards ensuring that the natural environmental assets are properly conserved and enhanced.</p>
<p>Conserve heritage assets in a manner appropriate to their significance (NPPF para 184).</p>	<p>Relevant assets have been identified where possible. Support that is considered appropriate is given to safeguarding heritage assets and their settings, and the historic landscape, especially that within Dilwyn Conservation area.</p>

## Section 3 – Compliance with the NPPF and Herefordshire Core Strategy

National Planning Policy Guidance Provision (NPPF 2018)	Relevant Herefordshire Core Strategy Policy/Requirement	Dilwyn Neighbourhood Development Plan (NDP) Policy /Approach NDP Policies and references are presented <b>in bold</b>
<b>Achieving Sustainable Development – Place Shaping Approach</b>		
<p>Set out a positive vision for the future of the area addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings (NPPF para 15).</p> <p>Contribute to the achievement of sustainable development (NPPF para 16a).</p> <p>Prepared positively, in a way that is aspirational but deliverable (NPPF para 16b).</p> <p>Shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees (NPPF para 16c).</p> <p>Policies are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals (NPPF para 16d).</p> <p>Accessible through the use of digital tools to assist public involvement</p>	<p><b>Vision for the County</b>  <i>“Herefordshire will be a place of distinctive environmental, historical and cultural assets and local communities, with sustainable development fostering a high quality of life for those who live, work and visit here. A sustainable future for the county will be based on the interdependence of the themes of social progress, economic prosperity and environmental quality with the aim of increasing the county’s self-reliance and resilience”.</i></p> <p><b>(Policy SS1 - extract)</b> When considering development proposals take a positive approach that reflects the presumption in favour of sustainable development. Always work proactively to find solutions so that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions.</p> <p>Planning applications that accord with the policies in this Core Strategy and, Neighbourhood Development Plans will be approved, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application then permission will be granted unless material considerations indicate otherwise -taking into account whether:</p> <p>a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against national policy taken as a whole; or  b) specific elements of national policy indicate that development should be restricted.</p>	<p>The NDP (<b>Section 4</b>) sets out a positive vision for the Parish, supported by a number of objectives addressing those overarching sustainable development principles that are specifically relevant to the Parish. This is a shared vision following consultation with and endorsement by the community (NPPF paras 15 and 16).</p> <p><b>Policy DW1</b> sets out the high-level sustainable development priorities forming the basis of the strategy for the Parish, complementing HCS policy SS1 and ensuring the plan aligns with the strategic needs and priorities of the wider local area. It seeks compliance of development through an integrated policy with those sustainable development objectives that are promoted in the NPPF and HCS and considered most relevant to the community. It is considered that the provisions in this policy do not conflict with but contribute positively to the sustainable development requirements of the NPPF paragraphs 11 to 13 and 29 and HCS Policy SS1.</p> <p>The NDP is aspirational yet practical; has involve the whole community at informal and formal stages (See Consultation Statement), including through web facilities; and although detailed, contains policies that are</p>



<p>and policy presentation (NPPF para 16e).</p> <p>Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant) (NPPF para 16f).</p> <p>Set out more detailed policies for specific areas, neighbourhoods or types of development, including allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies (NPPF para 28).</p> <p>Neighbourhood plans should develop a shared vision for their area (NPPF para 29).</p> <p>Neighbourhood plans should shape, direct and help to deliver sustainable development(NPPF para 29).</p> <p>Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies (NPPF para 29).</p>		<p>clearly identifiable. It is available on the Parish Council's website and also through Herefordshire Council's website. There is some duplication, but this is to emphasise the community's aspirations in those regards and identify local issues. It does not seek to reduce the levels of development set out in Herefordshire Local Plan Core Strategy.</p>
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## Achieving Sustainable Development – Economic Role

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

### Building a strong, competitive economy

Set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration (NPPF para 81a)

Set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period (NPPF para 81b)

Seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment (NPPF para 81c) and

Be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances (NPPF para 81d).

Recognise and address the specific locational requirements of different sectors, including making provision for clusters or networks of knowledge and data-driven, creative

**(Policy SS5 - extract)** Safeguard existing higher quality employment land from alternative uses. New strategic employment land and smaller scale employment sites will be delivered through the plan period. Development of the more traditional employment sectors such as farming, and food and drink manufacturing will be supported. The diversification of the business base, through the development of knowledge intensive industries, environmental technologies and creative industries as well as business hubs, live-work schemes and the adaptive design of residential development, will be facilitated where they do not have an adverse impact on the community or local environment. The provision of high-speed broadband to facilitate diversification will be supported.

**(Policy E1 –Extract)** The focus for new employment provision in Herefordshire is to provide a range of locations, types and sizes of employment buildings, land and offices to meet the needs of the local economy. Larger employment proposals will be directed to the strategic employment sites of Hereford, the market towns and rural industrial estates where appropriate. Development proposals which enhance employment provision and help diversify the economy of Herefordshire will be encouraged where: the proposal is appropriate in terms of its connectivity, scale, design and size; the proposal makes better use of previously developed land or buildings; the proposal is an appropriate extension to strengthen or diversify an existing business operation. The provision of viable live/work units as part of mixed-use developments will also be encouraged.

**(Policy E2 – Extract)** 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:

The NDP sets an objective to support and encourage a range of employment and economic development activities reflecting local business needs. There are no strategic employment requirements identified within the group parish. This objective is given effect through a number of flexible and parish-wide policies (NPPF paras 81 and 82) covering small and home-based businesses (**Policy DW12**) and rural enterprises, diversification and tourism (**Policy DW13**). The reuse and adaptation of rural buildings is also promoted within **Policy DW13**, although this is done so in a way that does not restrict the requirements of HCS policy RA5. Proposals for renewable and low carbon energy are promoted through **Policy DW15** subject to safeguards that are considered consistent with the NPPF and HCS.

The NDP does not seek to restrict any proposals that would be permitted under Herefordshire Local Plan Core Strategy.

**Policy DW12** promotes home working and this together with **Policy DW13** is considered flexible enough to enable the development of live/work units of an appropriate scale to the rural area (NPPF para 81d).

HCS does not require the NDP to bring forward strategic employment sites, clusters or networks within the group parish (NPPF

<p>or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations (NPPF para 82).</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 nonconforming use from within a residential area, and where an alternative use would offer amenity benefits. For sites in existing employment use, consideration should also be given to the ability to relocate existing occupiers where this is necessary; or</li> <li>3. the proposal would not result in a piecemeal loss of employment land where there is potential for a more comprehensive scheme;</li> </ol> <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 E3 – Extract)</b> The value of home working will be recognised by allowing some material change of use to part of a dwelling, where the dwelling remains as the principle place of residence for the home worker; and recognising the potential to encourage and expand home working, by allowing small extensions or conversions where the proposed use and operation would be compatible with its location and heritage value, and where it would not adversely affect the amenity of the neighbourhood by any of the following:</p> <ul style="list-style-type: none"> <li>- changes to the appearance of any building;</li> <li>- noise disturbance from the use or any increased traffic and parking generated;</li> <li>- unsociable hours of operation; and</li> <li>- the storage of hazardous materials or emissions from the site.</li> </ul>	<p>para 81b). There is one significant food related business within the Parish that has developed based upon a farm complex of buildings that has managed to fit sensitively into the rural scale of the parish. Reasonable expansion would be afforded through the provisions within <b>Policy DW13</b>. The safeguards do not extend beyond those expressed in the NPPF or HCS.</p> <p>Traditional employment sectors such as farming, business diversification and new forms of business are not restricted provided they are in scale with the rural character of the area and do not have any adverse effect on the community (amenity), transport and environment (HCS policy SS5).</p> <p>Reliance would be placed upon HCS policy E2 to avoid the unnecessary loss of business premises although none are identified that fall within the classification of 'Good' within Herefordshire Council's Employment Land Study. The HGS policy does not need to be duplicated.</p> <p>The NDP in so far as it relates to economic development and the promotion of business is considered consistent with the provisions contained within the NPPF and HCS. The criteria which may restrict such development are similar to safeguards in both the NPPF and HCS and relate primarily to amenity and the environment.</p>
<p><b>Supporting a prosperous rural economy</b></p>		

<p>Enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings (NPPF para 83a).</p> <p>Enable the development and diversification of agricultural and other land-based rural businesses (NPPF para 83b)</p> <p>Enable sustainable rural tourism and leisure developments which respect the character of the countryside (NPPF para 83c).</p> <p>Enable the retention and development of accessible local services, such as local shops and public houses (NPPF para 83d).</p> <p>Policies should recognise that sites to meet local business in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist NPPF para 84).</p>	<p><b>(Policy RA5 – Extract)</b> The sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, making a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to or is essential to the social well-being of the countryside, will be permitted where:</p> <ol style="list-style-type: none"> <li>1. design respects the character and significance of any redundant or disused building and demonstrates that it represents the most viable option for the long-term conservation and enhancement of any heritage asset affected, together with its setting;</li> <li>2. design proposals make adequate provision for protected and priority species and associated habitats;</li> <li>3. the proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts;</li> <li>4. the buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and</li> <li>5. the building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting.</li> </ol> <p>Any planning permissions granted pursuant to this policy will be subject to a condition removing permitted development rights for future alterations, extensions and other developments.</p> <p><b>(Policy RA6 – Extract)</b> 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</li> </ul>	<p>As explained above the NDP supports the development of all types of local businesses, especially those that result in diversification <b>(Policy DW13)</b>, provided they are of an appropriate scale, conforming with relevant HCS policies which include the conversion of rural buildings to employment uses <b>(Policy DW11)</b> (NPPF para 83).</p> <p>In this regard the NDP does not restrict any support to agricultural diversification (which would include tourism), forestry or other rural enterprises offered by HCS. Specific protection is provided to retain the character of the rural area with references to scale, traffic generation and amenity in addition to landscape character and heritage assets. These accord with both the NPPF and HCS.</p> <p><b>Policy DW16</b> supports development that would enhance the viability of local services and facilities serving the community (NPPF para 83d).</p> <p><b>Policy DW13</b> specifically supports tourism and visitor activities (NPPF para 83c).</p> <p>The NDP in so far as it relates to the rural economy is considered consistent with the provisions contained within the NPPF and HCS.</p>
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	<p>village shops, petrol filling stations, garden centres and public houses.</p> <ul style="list-style-type: none"> <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 and conserved;</li> <li>- support the retention of existing military sites;</li> <li>- support the retention and/ or diversification of existing agricultural businesses.</li> </ul> <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 and 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 – Extract)</b> 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</li> </ol>	
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	<p>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;</p> <ol style="list-style-type: none"> <li>3. retaining and enhancing existing, and encouraging new, accommodation and attractions throughout the county, 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 will be encouraged. Applicants will be encouraged to provide a 'Hotel Needs Assessment' for any applications for new hotels;</li> <li>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;</li> <li>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.</li> </ol>	
<p><b>Supporting high quality communications infrastructure</b></p> <p>Support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high-quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time;</p>	<p><b>(Policy SD1 – Extract)</b> Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements (among others):</p> <ul style="list-style-type: none"> <li>• ensuring designs can be easily adapted and accommodate new technologies to meet changing needs throughout the lifetime of the development;</li> </ul>	<p>The NDP includes a policy supporting development that provides high speed broadband and telecommunications equipment (<b>Policy DW14</b>) (NPPF para 112). This policy also requires the provision of broadband infrastructure within new development.</p> <p>The NDP does not seek to restrict any proposal for communication infrastructure</p>

<p>and should prioritise full fibre connections to existing and new developments (NPPF para 112).</p> <p>Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate (NPPF para 113).</p> <p>Ensure there is evidence to demonstrate that electronic communications infrastructure is not expected to cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest (NPPF para 114a).</p> <p>Ensure the possibility of the construction of new buildings or other structures interfering with broadcast and electronic communications services has been considered (NPPF para 114b).</p>		<p>within the Parish which would be permitted under Herefordshire Local Plan Core Strategy.</p>
<p><b>Promoting Sustainable Transport</b></p> <p>Address the potential impacts of development on transport networks (NPPF para 102a).</p> <p>Realise opportunities from existing or proposed transport infrastructure and changing transport technology and usage – for example in relation</p>	<p><b>(Policy SS4 – extract)</b> New developments should be designed and located to minimise the impacts on the transport network; ensuring that the efficient and safe operation of the network are not detrimentally impacted. Where possible development proposals should be accessible by and facilitate a genuine choice of modes of travel. Development proposals that will generate high journey numbers should be in sustainable</p>	<p>HCS has determined where development should be located, and this takes into account the needs of rural areas. There are no specific proposals in HCS or the Local Transport Plan at this time for transport infrastructure which affect the Parish.</p>

<p>to the scale, location or density of development that can be accommodated (NPPF para 102b).</p> <p>Identify and pursue opportunities to promote walking, cycling and public transport use (NPPF para 102c).</p> <p>Identify, assess and take into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains (NPPF para 102d).</p> <p>Are patterns of movement, streets, parking and other transport considerations integral to the design of schemes, and do they contribute to making high quality places (NPPF para 102e).</p> <p>Focus significant development on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Have opportunities to maximise sustainable transport solutions between urban and rural areas been taken into account (NPPF para 103).</p> <p>Does the NDP support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities (NPPF para 104a).</p>	<p>locations, accessible by means other than private car or alternatively, be required to demonstrate that they can be made sustainable by reducing unsustainable transport as required in future local or neighbourhood development plans and developer contributions, which meet the statutory tests, patterns and promoting travel by walking, cycling and public transport. Proposals to provide new and improved existing public transport, walking and cycling infrastructure will be supported. Where appropriate, land and routes will be safeguarded, and developer contributions sought to assist with the delivery of new sustainable transport infrastructure, including that required for alternative energy cars.</p> <p>Herefordshire Council will work with the Highways Agency, Network Rail, bus and train operators, developers and local communities to bring forward improvements to the local and strategic transport network to reduce congestion, improve air quality and road safety and offer greater transport choices.</p> <p>Development proposals incorporating commercial vehicular movements that could detrimentally impact on the environmental quality, amenity, safety and character of the surrounding locality will be expected to incorporate evidence demonstrating how the traffic impacts are to be mitigated.</p> <p><b>Policy SS7- Extract</b> Development proposals will be expected 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>• 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> </ul> <p><b>(Policy MT1 – Extract)</b> 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</li> </ol>	<p><b>Policy DW18</b> indicates that the Parish Council will work with Herefordshire Council to bring forward transport infrastructure as appropriate. This policy both complements HCS policy SS4 and sets out how the Parish Council intends to undertake its role in implement this policy (NPPF paras 102 and 104). A limited number of measures are set out including the promotion of accessibility including through public/community transport (NPPF para 102c). The local highway network does not contain any specific cycle network for new development to link into. There are a number of footpaths running through the Parish. Protection of footpaths and improvements would be facilitated through <b>Policy DW20</b> (NPPF para 104d).</p> <p>There are notable traffic concerns within Dilwyn village as well as the Parish as a whole. One of the aims of <b>Policy DW18</b> is to address these (NPPF para 102d). No significant traffic generating proposals are proposed in the NDP, but should any come forward, <b>Policy DW19</b> includes criteria that would address the issues identified (NPPF para 103). In relation to HCS policies SS4, MT1 and SD1 the above NP policies supplement and strengthen them because of local community concerns.</p> <p><b>Policy DW19</b> promotes the provision of off-road parking (HCS policy MT1). No specific parking standards are referred to, but provision should be adequate for the purpose (NPPF para 105). Herefordshire Council as local highway authority would be best placed to judge this.</p> <p>The rural location and scale of development within the parish are such that the breadth of</p>
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<p>Has there been active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned (NPPF para 104b).</p> <p>Have sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development been identified and protected and with robust evidence, (NPPF para 104c).</p> <p>Has the NDP provided for high quality walking and cycling networks and supporting facilities such as cycle parking (drawing on Local Cycling and Walking Infrastructure Plans) (NPPF para 104d).</p> <p>Has the NDP provided for any large-scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. In doing so they should take into account whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements (NPPF para 104e).</p> <p>Does the NDP recognise the importance of maintaining a national network of general aviation airfields,</p>	<p>traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development;</p> <ol style="list-style-type: none"> <li>2. promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport;</li> <li>3. encourage active travel behaviour to reduce numbers of short distance car journeys through the use of travel plans and other promotional and awareness raising activities;</li> <li>4. ensure that developments are designed and laid out to achieve safe entrance and exit, have appropriate operational and manoeuvring space, accommodate provision for all modes of transport, the needs of people with disabilities and provide safe access for the emergency services;</li> <li>5. protect existing local and long-distance footways, cycle-ways and bridleways unless an alternative route of at least equal utility value can be used, and facilitate improvements to existing or provide new connections to these routes, especially where such schemes have been identified in the Local Transport Plan and/or Infrastructure Delivery Plan; and</li> <li>6. have regard to both the council's Highways Development Design Guide and cycle and vehicle parking standards as prescribed in the Local Transport Plan - having regard to the location of the site and need to promote sustainable travel choices.</li> </ol> <p>Where traffic management measures are introduced they should be designed in a way which respects the character of the surrounding area including its landscape character. Where appropriate, the principle of shared spaces will be encouraged.</p>	<p>transport infrastructure is limited. The ability of the Parish Council to influence transport provision and behaviour is similarly so. Consequently, the measure advanced in the NDP are those that are considered relevant to this level of plan.</p> <p>HC's Transportation Section, the specialist advisers upon highway matters such as safety, has not raised objections to the housing sites proposed in the draft NDP.</p> <p>The NDP in so far as it relates to the provision of transport infrastructure is considered consistent with the provisions contained within the NPPF and HCS.</p>
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<p>and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government’s General Aviation Strategy. (NPPF para 104f).</p> <p>Does the NDP set local parking standards for residential and non-residential development which take into account:</p> <ul style="list-style-type: none"> <li>a) the accessibility of the development;</li> <li>b) the type, mix and use of development;</li> <li>c) the availability of and opportunities for public transport;</li> <li>d) local car ownership levels; and</li> <li>e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles (NPPF 105).</li> </ul> <p>Does the plan recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use (NPPF para 107).</p>		
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<p>Do sites ensure appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location (NPPF para 108a).</p> <p>Do sites ensure safe and suitable access can be achieved for all users (NPPF para 108b).</p> <p>Do sites ensure any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (NPPF para 108c).</p> <p>All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (NPPF para 111).</p>		
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## Achieving Sustainable Development – Social Role

**Supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; accessible local services that reflect the community’s needs and supporting its health, social and cultural well-being.**

### Delivering a sufficient supply of homes

Are the size, type and tenure of housing needed for different groups in the community reflected in policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, people who rent their homes and people wishing to commission or build their own homes) (NPPF para 61).

Does the plan specify the type of affordable housing required, and expect it to be met on sites or use off-site provision or an appropriate financial contribution in lieu (NPPF para 62).

Does the approach contribute to the objective of creating mixed and balanced communities (NPPF para 62b).

Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer) (NPPF para 63).

To support the re-use of brownfield land, where vacant buildings are

**(Policy SS2 – extract)** In the rural areas new housing development will be acceptable where it helps to meet local 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.

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; may be less in sensitive areas.

**(Policy SS3 – Extract)** A sufficient supply of housing land will be maintained to ensure the delivery of the Core Strategy housing target as set out in Policy SS2 over the plan period. The rate of housing delivery and supply will be assessed through the annual monitoring process. If monitoring demonstrates that the number of new dwelling completions is below the cumulative target figure over a 12-month monitoring period (1 April to 31 March) as set out in the housing trajectory in Appendix 4 the Council will prioritise increasing housing supply in the following monitoring periods using appropriate mechanisms which, depending on the scale and nature of potential under-delivery, will include:

- A partial review of the Local Plan – Core Strategy: or
- The preparation of new Development Plan Documents; or
- The preparation of an interim position statement and utilising evidence from the Strategic Housing Land Availability Assessment to identify additional housing land

Appendix 5 sets out the relationships between the delivery of housing and the timing of the main infrastructure requirements. It

The strategy for delivering housing is set out in **Section 5** of the NDP and more specifically **Policy DW2** supported by **Policies DW3 to DW5**. **Policy DW2** restricts new houses outside of the settlement boundary and in the open countryside to special cases, indicating that HCS Policy RA3 and others to which that one relates will be applied (NPPF paras 77 and 79). The NDP must address the provisions of HCS Policy RA2 which specifies Dilwyn village as the location for the majority of new dwellings (NPPF paras 77 and 78).

There are no strategic housing site locations identified within the Parish (NPPF para 65) although a minimum level of proportional housing growth is set. Dilwyn Parish falls within Leominster Housing Market Area and HCS sets a minimum target of 46 new dwellings. Between 2011 and April 2018 15 dwellings were built or had received planning permission.

A modest rural windfall allowance (dwellings outside of and away from settlements - NPPF para 70) of some 4 dwellings is indicated based on past trends over the plan-period, deliverable primarily through Core Strategy Policy RA3 of which 2 dwellings have already been taken into account, leaving a further 2 anticipated to come forward within the remainder of the plan period (**see NDP para 3.3 bullet 7**). Windfall development will also occur upon small sites within settlement boundaries, and a modest provision of 7 is

<p>being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount (NPPF para 63).</p> <p>Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. (NPPF para 64). Exemptions to this 10% requirement should also be made where the site or proposed development:</p> <ul style="list-style-type: none"> <li>a) provides solely for Build to Rent homes;</li> <li>b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);</li> <li>c) is proposed to be developed by people who wish to build or commission their own homes; or</li> <li>d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.</li> </ul> <p>Strategic policies set out a housing requirement for designated neighbourhood areas which reflects</p>	<p>also identifies actions necessary to safeguard the integrity of the River Wye Special Area of Conservation (SAC) from significant adverse effects. The Council will actively monitor the relationships identified in this appendix. Any material delays in the implementation of identified infrastructure of environmental safeguards and which will lead to under-delivery of housing supply will inform the implementation of the range of measures set out above to ensure plan-led corrective measures are put in place. The delivery and supply of new housing will be monitored on a regular basis and through the annual monitoring process in particular. Appendix 4 sets out an indicative trajectory for total housing completions, which will provide a basis for monitoring completions over the plan period. In the event that the monitoring process demonstrates that the rate of completions has fallen below targets, an early assessment will be made as to the most appropriate mechanism to boost housing delivery depending upon the scale and nature of the issue.</p> <p><b>(Policy RA1 – Extract)</b> In Herefordshire’s rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county’s housing needs. The development of rural housing will contribute towards the wider regeneration of the rural economy.</p> <p>New dwellings will be broadly distributed across the county’s rural areas on the basis of seven Housing Markets Areas (HMA) and illustrated in Figure 4.13 This acknowledges that different areas of Herefordshire have different housing needs and requirements.</p> <p>(A 14% growth target for the Parish is indicated in HCS and this would amount to 46 dwellings over the period 2011 to 2031. This should inform the approach to housing provision to meet future housing needs much of which should be provided through the neighbourhood plan and to be met in a locally focussed way.)</p> <p><b>(Policy RA2 – Extract)</b> To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve</p>	<p>suggested within Dilwyn village based upon those submitted during the ‘Call for sites’ and considered to be in locations that would likely prove suitable (see NDP para 5.4 and Meeting Housing Need and Site Assessment Report, June 2018).</p> <p>Two sites, one for an estimated 30 dwellings and another for an estimated 3 dwellings are allocated for housing in Dilwyn village (<b>Policy DW3</b>) (NPPF paras 68, 69 and 78). The area of the first amounts to approximately 3.7 ha. The site is large enough to accommodate substantially more development but is subject to a number of constraints. The figure of 30 dwellings is indicated for the purposes of the contribution it might make to the required level of proportional housing growth, given the need especially, to address on site drainage and protection of the site, setting and possible additional area associated with Castle Mound Scheduled Ancient Monument. Consequently, a notable area of the site may need to be left free from development (see later under conservation of heritage assets). Provision is made for the latter and other important design principles through <b>Policy DW4</b>.</p> <p><u>The completions, commitments, windfall allowance and housing allocation ensure that the housing target of 46 is met and exceeded (NPPF paras 47, 52 and 55), in that the potential dwellings expected as a consequence of all measures and allowances is 57 dwellings for the period 2011-2031. (See NDP Table 1)</u></p> <p>A settlement boundary has been defined for Dilwyn village (i.e. settlements listed within HCS tables 4.14 and 4.15 respectively). This incorporates both its central core and the area</p>
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<p>the overall strategy for the pattern and scale of development and any relevant allocations. These figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement (NPPF para 65).</p> <p>Small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly (NPPF para 68).</p> <p>Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites suitable for housing in their area (NPPF para 69).</p> <p>Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends (NPPF para 70).</p> <p>Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area (NPPF para 70).</p>	<p>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.</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> <p>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.</p> <p><b>(Policy RA3 – Extract)</b> In rural locations outside of settlements, as to be defined in either neighbourhood development plans or the Rural Areas Sites Allocations DPD, residential development will be limited to proposals which satisfy one or more of the following criteria:</p>	<p>along Dilwyn Common Lane with a green gap between the two. Within this boundary opportunities are available for infilling (<b>Policy DW2</b>) where relevant criteria are met, in particular, <b>through Policies DW8 and DW11</b> (NPPF para 78). The NDP plans positively for growth. The defining of a settlement boundary complies with HC paragraph 4.8.23 and their drafting utilises HC’s Guidance Note 20. Dilwyn previously had a settlement boundary defined for it in the former Herefordshire Unitary Development Plan that formed a starting point for its revision. In addition, the area along Dilwyn Common Lane previously had a boundary defined for it in Leominster District Local Plan and this has also been taken into account .</p> <p>No particular cases where houses can be brought back into use have been identified. No brownfield sites have been submitted for consideration (NPPF para 63).</p> <p><b>Policy DW11</b> contains a range of specific and important criteria that need to be complied with in order that appropriate safeguards are provided, and general design matters are addressed for any housing developments, including the allocated site. This is in addition to other topic specific policies in this NDP and also HCS. Dilwyn falls within the rural part of Leominster Housing Market Area and HC has assessed needs in terms of market and affordable housing within its Herefordshire Local Housing Market Assessment - 2012 Update which is available upon its website under Evidence base. In addition, a number of housing reports specifically in relation to Dilwyn have been used to supplement this (<b>See NDP paras 3.3 and 3.4</b> and the links within the footnotes within these) (NPPF para</p>
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<p>Support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority's area (NPPF para 71). These sites should be on land which is not already allocated for housing and should:</p> <p>a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and</p> <p>b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.</p> <p>In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this (NPPF para 77).</p> <p>To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of</p>	<ol style="list-style-type: none"> <li>1. meets an agricultural or forestry need or other farm diversification enterprise for a worker to live permanently at or near their place of work and complies with Policy RA4; or</li> <li>2. accompanies and is necessary to the establishment or growth of a rural enterprise, and complies with Policy RA4; or</li> <li>3. involves the replacement of an existing dwelling (with a lawful residential use) that is comparable in size and scale with, and is located in the lawful domestic curtilage, of the existing dwelling; or</li> <li>4. would result in the sustainable re-use of a redundant or disused building(s) where it complies with Policy RA5; and leads to an enhancement of its immediate setting;</li> <li>5. is rural exception housing in accordance with Policy H2; or</li> <li>6. is of exceptional quality and innovative design satisfying the design criteria set out in Paragraph 55 of the National Planning Policy Framework and achieves sustainable standards of design and construction; or</li> <li>7. is a site providing for the needs of gypsies or other travellers in accordance with Policy H4.</li> </ol> <p><b>(Policy H1 – Extract)</b> All new open market housing proposals on sites of more than 10 dwellings which have a maximum combined gross floor space of more than 1000sqm will be expected to contribute towards meeting affordable housing needs.</p> <p>The amount and mix of affordable housing including those on strategic housing sites will vary depending on evidence of housing need as identified through the latest housing market assessment, and an assessment of the viability of the development. The following indicative targets have been established based on evidence of need and viability in the county's housing market and housing value areas:</p> <ol style="list-style-type: none"> <li>1. a target of 35% affordable housing provision on sites in the Hereford, Hereford Northern and Southern Hinterlands, and Kington and West Herefordshire housing value areas;</li> <li>2. a target of 40% affordable housing provision on sites in the Ledbury, Ross and Rural Hinterlands; and Northern Rural housing value areas (which includes Bromyard);</li> <li>3. a target of 25% affordable housing provision on sites in the Leominster housing value area.</li> </ol>	<p>65). HCS policy H3 seeks to provide a range of house types. The NDP does duplicate the requirements of that HCS policy (NPPF para 61).</p> <p>The housing is located in accordance with HCS policies RA1 and RA2 where it will support services and assist community wellbeing.</p> <p>The parish does not fall within a designated rural area for the purposes of affordable housing. The large site (<b>Policy WD4</b>) is of a size that would require an element of affordable housing (NPPF para 63). HCS identifies the need for affordable housing within the rural parts of the Housing Market Area within which the Parish sits. It is unlikely that a further specific need for affordable housing will be identified within the Parish during the plan period but if it does, this would be met through the 'rural exception' provisions in HCS policy H2 (NPPF paras 71 and 77). It is noted that affordable housing could be subsidised by market housing where this would enable a viable scheme to come forward. <b>Policy DW5</b> sets out criteria to be used to determine how affordable housing should be allocated to meet local needs.</p> <p>The NDP proposes one medium sized site (Policies DW3[a] and DW4) and one small site (Policy DW3[b]) where a range of housing types might be sought through the development management process (NPPF para 69). However, the location of the latter is such that development reflecting adjacent densities would suggest a limited variety of dwelling types will result. The approach to seeking a variety of housing types is promoted through the allocation of the site through</p>
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<p>rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby (NPPF para 78).</p> <p>Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply (NPPF para 79):</p> <p>a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;</p> <p>b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;</p> <p>c) the development would re-use redundant or disused buildings and enhance its immediate setting;</p> <p>d) the development would involve the subdivision of an existing residential dwelling; or</p> <p>e) the design is of exceptional quality, in that it:</p> <ul style="list-style-type: none"> <li>- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise</li> </ul>	<p>Any affordable housing provided under the terms of this policy will be expected to be available in perpetuity for those in local housing need.</p> <p><b>(Policy H2 – Extract)</b> Proposals for affordable housing schemes in rural areas may be permitted on land which would not normally be released for housing where:</p> <ol style="list-style-type: none"> <li>1. the proposal could assist in meeting a proven local need; and</li> <li>2. the housing provided is made available to, and retained in perpetuity for local people in need of affordable housing; and</li> <li>3. the site respects the characteristics of its surroundings, demonstrates good design and offers reasonable access to a range of services and facilities normally in a settlement.</li> </ol> <p>In order to enable the delivery some market housing may be permitted as part of the development to subsidise a significant proportion of affordable housing provision. However, evidence will be required to demonstrate that the proposed scale of market housing is that required for the delivery of affordable housing.</p> <p><b>(Policy RA5 – Extract)</b></p> <p>The sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, which will make a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to or is essential to the social well-being of the countryside, will be permitted where:</p> <ol style="list-style-type: none"> <li>1. design proposals respect the character and significance of any redundant or disused building and demonstrate that it represents the most viable option for the long-term conservation and enhancement of any heritage asset affected, together with its setting;</li> <li>2. design proposals make adequate provision for protected and priority species and associated habitats;</li> <li>3. the proposal is compatible with neighbouring uses, including any continued agricultural operations and does not cause undue environmental impacts and;</li> </ol>	<p><b>Policies DW3[a] and DW4.</b> In this way Dilwyn makes a contribution the needs across the housing market area given that some of the smaller villages may not be able to find such sites, especially given the landscape and other constraints.</p> <p><b>Policies DW8</b> (specifically in relation development within Dilwyn Conservation Area) and <b>DW11</b> (design more generally) require housing development to reflect the existing scale and density of existing properties in its vicinity and other design matters. It is considered this addresses the density issue in the most appropriate way. Design <b>Policy DW11</b> is specifically relevant should proposals be brought forward for development in rear gardens (NPPF paras 70 and). HCS policy SS2 recognises that lower densities may be appropriate in sensitive areas. The suggested number of houses advocated for the allocated sites are for the purposes of showing how the required housing target for the Parish can be met. In relation to the larger site it represents a medium density despite being below the minimum target level set in HCS policy SS2 because of the combination of rural and sensitive location where some of the site may need to remain undeveloped. The second smaller site is expected to be developed at a density similar to that of houses surrounding it.</p> <p>Although there is expected to be a demand for special needs housing within the housing market area, there is no evidence that provision is expected within the group parish within the plan period. The larger site (<b>Policy DW3[a]</b>) is considered the location that best meets the provisions of NPPF paragraph 71 in relation to entry level housing.</p>
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<p>standards of design more generally in rural areas; and</p> <p>- would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.</p>	<p>4. the buildings are of permanent and substantial construction capable of conversion without major or complete reconstruction; and</p> <p>5. the building is capable of accommodating the proposed new use without the need for substantial alteration or extension, ancillary buildings, areas of hard standing or development which individually or taken together would adversely affect the character or appearance of the building or have a detrimental impact on its surroundings and landscape setting.</p> <p>Any planning permissions granted pursuant to this policy will be subject to a condition removing permitted development rights for future alterations, extensions and other developments.</p> <p><b>(Policy H3 – Extract)</b> Residential developments should provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities. In particular, on sites of more than 50 dwellings, developers will be expected to:</p> <ol style="list-style-type: none"> <li>1. provide a range of house types and sizes to meet the needs of all households, including younger single people;</li> <li>2. provide housing capable of being adapted for people in the community with additional needs; and</li> <li>3. provide housing capable of meeting the specific needs of the elderly population by: -providing specialist accommodation for older people in suitable locations; - ensuring that non-specialist new housing is built to take account of the changing needs of an ageing population; - ensuring that developments contain a range of house types, including where appropriate, bungalow accommodation.</li> </ol> <p>The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes</p>	<p>It is considered these policies and others elsewhere in this NDP are consistent with Government or HCS provisions relating to supporting the sustainable provision of both market and affordable housing to meet local and wider needs while protecting environmental and social considerations of acknowledged importance.</p>
<p><b>Promoting healthy and safe communities</b></p> <p>Enable the retention and development of accessible local services and community facilities, such as local shops, meeting places,</p>	<p><b>(Policy SD1 – Extract)</b> Development proposals should create safe, sustainable, well integrated environments for all members of</p>	<p>The rural location of the Parish and its small population is such that many of the planning provisions in the NPPF relating to promoting healthy communities will not be possible.</p>

<p>sports venues, open space, cultural buildings, public houses and places of worship (NPPF para 83d).</p> <p>Places should promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages (NPPF para 91a).</p> <p>Places should be safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas(NPPF para 91b).</p> <p>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(NPPF para 91c).</p> <p>Plan positively for the provision and use of shared spaces, community</p>	<p>the community. In conjunction with this, all development proposals should incorporate the following requirements (among others):</p> <ul style="list-style-type: none"> <li>• safeguard residential amenity for existing and proposed residents;</li> <li>• create safe and accessible environments that minimise opportunities for crime and anti-social behaviour by incorporating Secured by Design principles, and consider the incorporation of fire safety measures, particularly the location of establishments where hazardous substances are present;</li> </ul> <p><b>(Policy SC1 – Extract)</b> 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 where 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>Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative is available or can be provided or it can be shown that the facility is no longer required, viable or 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>It is hoped that the current level of community facilities and services can be retained (NPPF paras 83d and 92c). Should the need for further community facilities and services arise then these would be enabled through <b>Policy DW16</b>, which includes appropriate safeguards to protect amenity. Although there is currently no village shop, the community has aspirations to provide one in a building associated with the Crown Public House (which is a community facility) and <b>Policy DW16</b> would facilitate this. Community services would include local shops, and public houses (NPPF para 92d). This policy would also enable proposals that would enhance their viability. <b>Policy DW17</b> enables contributions towards provision required to accommodate growth, should this be necessary. <b>Policy DW16</b> also protects existing community facilities and services, from development that might lead to restrictions upon their use(NPPF para 92c).</p> <p>No proposals are advance for new areas of open space(NPPF para 97). The protection of existing open space and any need for onsite open space and play-areas within the proposed housing sites will be determined through the development management process utilising HCS policies OS1 and OS2 which have not been duplicated in any form (NPPF para 96), although some spaces are to be protected as community facilities or local green space. There are a number of footpaths and public rights within the parish and these will be protected through <b>Policy DW20</b> (NPPF para 98). No proposals for new public rights of way are proposed although they would be supported through <b>Policy DW20</b>.</p>
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<p>facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments(NPPF para 92a).</p> <p>Take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community(NPPF para 92b).</p> <p>Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs(NPPF para 92c).</p> <p>Ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community(NPPF para 92d).</p> <p>Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services(NPPF para 92e).</p> <p>Planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard (NPPF para 93).</p>	<p><b>(Policy OS2 – Extract)</b> 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; 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 are of benefit to the local community.</li> </ol> <p><b>(Policy OS3 – Extract)</b> In determining proposals which result in the loss of an open space, sports or recreation facility, the following principles will be taken into account:</p> <ol style="list-style-type: none"> <li>1. clear evidence that the resource is surplus to the applicable quantitative standard;</li> <li>2. the loss of the resource results in an equally beneficial replacement or enhanced existing facility for the local community;</li> <li>3. the loss of the resource is for the purpose of providing an ancillary development which improves the functioning, usability or viability of the resource, e.g. changing rooms, toilets, grandstand accommodation, and function uses;</li> <li>4. the loss of the resource will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.</li> </ol>	<p><b>Policy DW10</b> designates a number of areas of importance to the community as local green space (NPPF para 99). The reasons for their importance are set out in <b>para 6.7</b>.</p> <p>The provision of HCS policy SD1 in relation to creating safe environments, addressing crime prevention and community safety are not duplicated in this NDP and will be a matter left to be considered through that HCS policy (NPPF para 91b).</p> <p>None of the policies referred to in this section are considered inconsistent with Government or HCS provisions relating to community facilities, services and related health and wellbeing measures.</p>
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<p>Give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications(NPPF para 94a).</p> <p>Work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted(NPPF para 94b).</p> <p>Anticipate and address possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security(NPPF para 95a).</p> <p>Recognise and support development required for operational defence and security purposes and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area(NPPF para 95b).</p> <p>Policies should recognise that sites to meet local community needs in</p>		
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<p>rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist (NPPF para 84).</p> <p>Planning policies should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development</p>		
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has been completed (NPPF para 182).

**Open Space and Recreation**

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. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate (NPPF para 96).

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless (NPPF para 97):

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the

<p>benefits of which clearly outweigh the loss of the current or former use.</p> <p>Planning policies should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails (NPPF para 98).</p> <p>The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated and be capable of enduring beyond the end of the plan period (NPPF para 99).</p> <p>The Local Green Space designation should only be used where the green space is (NPPF para 100):</p> <ul style="list-style-type: none"> <li>a) in reasonably close proximity to the community it serves;</li> <li>b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field),</li> </ul>		
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<p>tranquillity or richness of its wildlife; and</p> <p>c) local in character and is not an extensive tract of land.</p> <p>Policies for managing development within a Local Green Space should be consistent with those for Green Belts (NPPF para 101).</p>		
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## Achieving Sustainable Development – Environmental Role

**Contributing to the efficient use of land, promoting good design, and mitigating and adapting to climate change including moving to a low carbon economy; protecting and enhancing our natural, built and historic environment; and as part of this helping to improve biodiversity, use natural resources prudently, minimise waste and pollution.**

### Making efficient use of land

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 (NPPF para 118a).

Recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production (NPPF para 118b).

Give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land (NPPF para 118c).

Promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups

**(Policy SS6 – Extract)** Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness. 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 (among others):

- agricultural and food productivity;
  - physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation;

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.

**Policy SS7- Extract)** Development proposals will be expected to include measures which will mitigate their impact on climate change.

At a strategic level, this will include:

- supporting affordable, local food production, processing and farming to reduce the county’s contribution to food miles\*;
- protecting the best agricultural land where possible.

When taken together policies within this NDP promote development that would achieve a range of benefits to the environment and the community. However, the level of development and constraints limit the extent to which local benefits will be possible in order to protect matters of wider importance (NPPF para 118a). No brownfield sites were identified where development should be promoted (NPPF para 118c).

No proposals are advanced that will use notable areas of the highest quality agricultural land for housing. The large site promoted through Policy DW3[a] is shown as grade 2 agricultural land but other sites put forward of similar size were of similar or higher grade. There would be insufficient small sites to meet the housing needs of the village. There will be small infill plots within settlement boundaries although these should not affect farmland. No specific proposals for new or expanded sites to serve local businesses are proposed and should proposals come forward for economic development proposals these are most likely to arise through the conversion of rural buildings to workshops, and appropriate extensions of existing employment sites where environmentally acceptable. **Policies Dw12 and DW13** contain appropriate environmental safeguards and emphasise the need for these to be in scale with the surroundings.

No derelict or despoiled land has been identified. There is no indication that land with



<p>and railway infrastructure) (NPPF para 118d).</p> <p>Reallocate land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped) (NPPF para 120a).</p> <p>Promote more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space (NPPF para 121b).</p> <p>Support development that makes efficient use of land (NPPF para 122).</p> <p>Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. Plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible (NPPF para 123).</p>		<p>any contamination is being proposed for any use, other than agricultural land that may potentially have low levels of pollution from related herbicides (NPPF para 118c).</p> <p><b>Policies DW2 and DW3</b> make provision for the outstanding required number of houses in the most efficient way by concentrating development within or adjacent to the settlement boundary of the named settlement (NPPF para 122).</p> <p>It is considered that the NDP does not conflict with any policies seeking the efficient use of land set out in Herefordshire Local Plan Core Strategy.</p>
<p><b>Achieving well-designed places</b></p> <p>Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is</p>	<p><b>(Policy SD1 – Extract)</b> Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements (among others):</p>	<p>The NDP requires development to be designed to a high standard and to reflect the quality and character of the settlement and its surrounding rural area.</p>

<p>likely to be acceptable. Design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development (NPPF para 125).</p> <p>To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high-quality standard of design. However, their level of detail and degree of prescription should be tailored to the circumstances in each place and should allow a suitable degree of variety where this would be justified (NPPF para 126).</p> <p>Ensure developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development (NPPF para 127a).</p> <p>Ensure developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping (NPPF para 127b).</p>	<ul style="list-style-type: none"> <li>• new buildings should be designed to maintain local distinctiveness through incorporating local architectural detailing and materials and respecting scale, height, proportions and massing of surrounding development. while making a positive contribution to the architectural diversity and character of the area including, where appropriate, through innovative design;</li> <li>• safeguard residential amenity for existing and proposed residents;</li> <li>• ensure that distinctive features of existing buildings and their setting are safeguarded and where appropriate, restored.</li> </ul>	<p><b>Policy DW11</b> contains elements that complement HCS policy SD1 and sets out the need to address design issues, including those related to sustainability (NPPF para 125). It is complemented in particular by <b>Policy DW8</b> which relates to development within Dilwyn Conservation Area which covers much of the extent of the current settlement, with the exception of some areas along Dilwyn Common Lane. It does not seek to replicate HCS policy SD1 but is consistent with it. It seeks to ensure that new development respects the scale, density and massing which forms the character within the village (NPPF para 126). New development also needs to integrate well into the natural and historic environment with <b>Policies DW6 and DW27</b> reflecting the Herefordshire Core Strategy's Local Distinctiveness policies.</p> <p>The level of development required, and character of settlements are not such that supplementary planning guidance, a design guide or a design code would be appropriate. However, <b>Policy DW4</b> provides some additional design and development principles for <b>site DW3[a]</b> that are appropriate given the potential constraints and location of this particular site.(NPPF para 126).</p> <p><b>Policy DW11</b> enables schemes with sensitive innovative design (NPPF para 127c).</p> <p>Dilwyn Parish Council is aware of Herefordshire Council's Statement of Community Involvement and will use this to ensure those affected are involved in the design process.</p>
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<p>Ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities) (NPPF para 127c).</p> <p>Ensure developments establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit (NPPF para 127d).</p> <p>Ensure developments optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks (NPPF para 127e).</p> <p>Ensure developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience (NPPF para 127f).</p>		
<p><b>Meeting the challenge of climate change, flooding and coastal change</b></p>		

<p>Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure (NPPF para 149).</p> <p>New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure (NPPF para 150a)</p> <p>New development should be planned to 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 (NPPF para 150b).</p>	<p><b>(Policy SS7- Extract)</b> Development proposals will be expected 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>• 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> </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> <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>• developments must demonstrate water efficiency measures to reduce demand on water resources.</li> </ul> <p><b>(Policy SS6 – Extract)</b> 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 (among others):</p> <ul style="list-style-type: none"> <li>• physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.</li> </ul>	<p>The location of housing sites allocated for development and the settlement boundary meet the requirements of HCS policies RA1 and RA2 which it is assumed have been assessed against the relevant NPPF requirements under this heading.</p> <p>The NDP supports policies to mitigate the effects of development on climate change set out in Herefordshire Local Plan Core Strategy. It is considered that no proposals are advanced within the plan area that would conflict with policies in HCS or the NPPF. <b>Policy DW11</b> supports the need for sustainable design features to produce a low carbon 'footprint'. This in combination with HCS policies SS7 and SD1 supports NPPF paras 149 and 150b.</p> <p><b>Policy DW15</b> promotes renewable and low carbon energy developments that are suitable within the parish, subject to a range of environmental criteria (NPPF para 151). This includes community-led proposals (NPPF para 152). These qualifying criteria do not extend beyond those necessary to protect the landscape, local and residential amenity, heritage assets and highway safety and capacity and which are covered within the NPPF and HCS.</p> <p>The NDP recognises flood risk from streams running through the parish is an issue and also flooding from storm water flooding. <b>Policy DW9</b> sets out provisions that meet the NPPF requirements as well as that document's Technical appendix. The larger site proposed for housing (Policy DW3[a]) does have areas that are shown to be prone to storm water</p>
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<p>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) (NPPF para 151a).</p> <p>Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development (NPPF para 151b).</p> <p>Identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers (NPPF para 151c).</p> <p>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 (NPPF para 152).</p> <p>New development should take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (NPPF para 153b).</p> <p>Inappropriate development in areas at risk of flooding should be avoided</p>	<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 SD2 – Extract)</b> Development proposals that seek to deliver renewable and low carbon energy targets 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>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 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 SD3 – Extract)</b> 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</p>	<p>flooding by provision will be required through this policy for any developer to identify how drainage needs to be addressed. (NPPF para 155). This is taken into account through the level of development anticipated and it is noted that the landowner owns the adjacent land that can also be used to provide appropriate for any Suds drainage scheme that might also benefit biodiversity.</p> <p><b>Policy DW9</b> promotes the provision of sustainable drainage systems (NPPF para 165) and should be read in association with HCS policy SD3.</p> <p>None of these or other policies elsewhere in this NDP are considered inconsistent with Government or HCS approach to mitigating the effects of or adapting to climate change.</p>
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<p>by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere (NPPF para 155).</p> <p>Apply the sequential test and then, if necessary, the exception test as set out below (NPPF para 157a).</p> <p>Safeguard land from development that is required, or likely to be required, for current or future flood management (NPPF para 157b).</p> <p>Use opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques) (NPPF para 157c).</p> <p>Where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seek opportunities to relocate development, including housing, to more sustainable locations (NPPF para 157d).</p> <p>Development should not be allocated if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. (NPPF para 158).</p>	<p>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 <i>Strategic Flood Risk Assessment (SFRA) 2009</i> 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 appropriate, implementing a flood evacuation management plan and avoiding areas identified as being subject to Rapid Inundation from a breach of a Flood Defence;</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>6. water conservation and efficiency measures are included in all new developments, specifically: <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 sq. m. gross floorspace to achieve the equivalent of BREEAM 3 credits for water consumption as a minimum;</li> </ul> </li> </ol>	
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<p>The application of the exception test should be informed by a site-specific flood risk assessment (NPPF para 160).</p> <p>In using the exception test both of the following elements should be satisfied for development to be allocated:</p> <ul style="list-style-type: none"> <li>- the development would provide wider sustainability benefits to the community that outweigh the flood risk (NPPF para 160a).</li> <li>- the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall (NPPF para 160b).</li> </ul> <p>Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (NPPF para 165). The systems used should:</p> <ul style="list-style-type: none"> <li>a) take account of advice from the lead local flood authority;</li> <li>b) have appropriate proposed minimum operational standards;</li> <li>c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and</li> <li>d) where possible, provide multifunctional benefits.</li> </ul>	<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>	
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<p><b>Conserving and enhancing the natural environment</b></p> <p>Plans should distinguish between the hierarchy of international, national and locally designated sites (NPPF para 171).</p> <p>Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework (NPPF para 171).</p> <p>Plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure (NPPF para 171).</p> <p>Plans should plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries (NPPF para 171).</p> <p>Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality (NPPF footnote No 53).</p> <p><b>Landscape</b></p> <p>Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest</p>	<p><b>(Policy SS6 – Extract)</b> Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, 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 (among others):</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>• the network of green infrastructure;</li> <li>• physical resources, including (among others) soils, and the water environment</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 SS6 – Extract)</b> Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and</p>	<p>Herefordshire Council has identified the character of landscapes within the plan area of which a number fall within the group parish and have been defined in this NDP (<b>paras 2.10 and 6.2</b>). This matter is covered in <b>Policy DW6</b> which will enable the differences between the landscape areas to be appreciated (NPPF para 171). Enhancements are sought through the introductory part of the policy, where appropriate, within development proposals. Landscape features that contribute towards the local green infrastructure network are to be protected.</p> <p><b>Policy DW6</b> also covers biodiversity, including reference to HC’s ecological network (NPPF para 171). It is considered consistent with HCS policy LD2 which sets out the hierarchy of these sites (NPPF para 171). In this respect the NDP does not cover the protection of biodiversity sites that fall within the hierarchy distinguished within the NPPF.</p> <p>The areas proposed for development fall with agricultural land grades 2 and 3 (NPPF footnote No 53).</p> <p>The NDP supports policies to protect the rural landscape set out in Herefordshire Local Plan Core Strategy.</p> <p>None of the parish falls within any nationally designated landscape. (NPPF para 172).</p>
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<p>status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited (NPPF para 172).</p> <p>Major development should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest (NPPF para 172). Consideration should include an assessment of:</p> <p>a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;</p> <p>b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and</p> <p>c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</p> <p>For the purposes of paragraphs 172, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for</p>	<p>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 (among others):</p> <ul style="list-style-type: none"> <li>landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;</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 – Extract)</b> 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>Policies DW1 and DW6</b> (including its supporting <b>paragraph 6.2</b>) give the level of weight required to the landscape within the Parish setting out criteria against which development should be determined.</p> <p><b>Policy DW6</b> seeks to preserve those elements contributing to the character and beauty of the countryside, in particular landscape features, the settings of Dilwyn village and the characteristics of the landscape character type. This policy, together with <b>PolicyDW1</b>, ensures that protection and enhancement of the elements of the landscape are given a high priority (NPPF para 170). Together <b>Policies DW1 and DW6</b> contain criteria against which proposals should be judged.</p> <p>It is considered that no proposals are advanced that would conflict with policies to protect the landscape, geological conservation and soils.</p>
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<p>which the area has been designated or defined (NPPF Footnote No 55).</p> <p><b>Biodiversity</b></p> <p>Plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation (NPPF para 174a).</p> <p>Plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity (NPPF para 174b).</p> <p>Where areas that are part of the Nature Recovery Network are identified in plans, it may be appropriate to specify the types of development that may be suitable within them (NPPF Footnote 57).</p> <p>Proposals should that cause significant harm to biodiversity should be located on an alternative site with less harmful impacts, or be adequately mitigated, or, as a last</p>	<p><b>(Policy SS6 – Extract)</b> Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its biodiversity 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 (among others):</p> <ul style="list-style-type: none"> <li>• biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest;</li> <li>• the network of green infrastructure;</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 LD2 – Extract)</b> 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> </ol> </li> </ol>	<p>NDP <b>Policy DW6</b> seeks to conserve and enhance biodiversity. HCS policy LD2 protects the hierarchy of sites and is not duplicated by a policy within the NDP. In this regard it is noted that there are no SACs or SSSIs within the Parish and hence no specific policy to protect biodiversity sites. However, this policy seeks to maintain or retain important features which contribute towards the green infrastructure network within the Parish. No site allocations are advanced that would conflict with policies to protect the locally important wildlife sites. There are no locally important geological sites in the Parish. This policy also refers to the ecological network which has been identified by Herefordshire Council’s through defining corridors, buffers and stepping stones. (NPPF para 174).</p> <p>The aim of <b>Policy DW6</b> is to seek no net-loss in biodiversity. Enhancements would be expected through landscape schemes as an integral part of site development in accordance with HCS policy LD1 which should also protect existing trees, ponds, orchards and hedgerows where they make a contribution to the parish’s biodiversity (NPPF para 174).</p> <p>There is no Nature Improvement Area within the Parish.</p> <p><b>Policy DW9</b> would protect biodiversity from the possible effects of pollution from waste water. It also encourages SuDS schemes that</p>
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<p>resort, compensated for (NPPF para 175a).</p> <p>Development should not take place on land within or outside a Site of Special Scientific Interest, where it is likely to have an adverse effect on it (either individually or in combination with other developments). The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest (NPPF para 175b).</p> <p>Development should not result in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) unless there are wholly exceptional reasons and a suitable compensation strategy exists (NPPF para 175c).</p> <p>Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity (NPPF para 175d).</p> <p>The following should be given the same protection as habitats sites (NPPF para 176):</p>	<p>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;</p> <p>c) Development that would be liable to harm the nature conservation value of a site or species of local nature conservation interest will only be permitted if the importance of the development outweighs the local value of the site, habitat or physical feature that supports important species.</p> <p>d) Development that will potentially reduce the coherence and effectiveness of the ecological network of sites will only be permitted where adequate compensatory measures are brought forward.</p> <p>2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and</p> <p>3. creation of new biodiversity features and wildlife habitats.</p> <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> <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> <p>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;</p>	<p>would incorporate measures that benefit biodiversity</p> <p>It is considered there is no apparent conflict between the policies in this plan covering biodiversity and those in HCS or the NPPF.</p>
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<p>a) potential Special Protection Areas and possible Special Areas of Conservation;</p> <p>b) listed or proposed Ramsar sites; and</p> <p>c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.</p> <p>The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned (NPPF para 177).</p> <p><b>Ground conditions and pollution</b></p> <p>Sites should be suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) (NPPF para 178a).</p> <p>After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental</p>	<ol style="list-style-type: none"> <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 SS6 – Extract)</b> Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, 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 (among others):</p> <ul style="list-style-type: none"> <li>• local amenity, including light pollution, air quality and tranquillity;</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</p>	<p>The provisions of HCS policies SS6, SD1, SD3 and SD4 are considered sufficient for most of the needs of the Parish in relation to addressing pollution and land stability which are issues requiring high levels of professional advice not available to the Parish Council. <b>Policy DW11</b> protects the amenity of existing residents, which will include from potential noise and air pollution and ensures that new residential development is not located where such pollution exists (NPPF para 180). More specifically <b>Policy DW11[g]</b> covers the issue of contaminated land which Herefordshire Council suggests may be relevant when, in particular, agricultural land is developed (NPPF paras 178 and 179). <b>Policy DW9</b> aims at ensuring new development does not result in pollution arising from waste water drainage. There are general references to the protection</p>
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<p>Protection Act 1990 (NPPF para 178b).</p> <p>Adequate site investigation information, prepared by a competent person, should be available to inform these assessments (NPPF para 178c).</p> <p>Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner (NPPF para 179).</p> <p>Planning policies should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development (NPPF para 180).</p> <p>Proposals should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life (NPPF para 180a).</p> <p>Proposals should identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason (NPPF para 180b).</p>	<p>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 SD1 – Extract)</b> Development proposals should create safe, sustainable, well integrated environments for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements (among others):</p> <ul style="list-style-type: none"> <li>• safeguard residential amenity for existing and proposed residents;</li> <li>• ensure new development does not contribute to, or suffer from, adverse impacts arising from noise, light or air contamination, land instability or cause ground water pollution;</li> <li>• where contaminated land is present, undertake appropriate remediation where it can be demonstrated that this will be effective;</li> </ul> <p><b>(Policy SD3 – Extracts)</b> 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> <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 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</p>	<p>of amenity within many of the NDP’s policies including <b>Policies DW4, DW12, DW13, DW14, Dw15, DW16 and DW19. Policy DW19</b> seek to minimise light pollution from street lighting where currently this is not present. (NPPF para 180c).</p> <p>Local concerns have been raised about the public sewerage system within the area to the south of Dilwyn Common lane. <b>Policy DW9</b> would be relevant to new development in this location. It would also cover instances related to Dilwyn Wastewater Treatment Works, should there be any temporary capacity problems that might result in pollution affecting human health and biodiversity. Through this policy the requirements of HCS policy SD4 are considered to have been met in relation to these matters within the NDP (NPPF para 180).</p> <p>There are no Air Quality Management Areas and Clean Air Zones within the Group Parish (NPPF para 181).</p> <p>Accordingly, these provisions in addition to HCS policies SS6, SD1, SD3 and SD4 are considered sufficient for the needs of the Parish and to meet national and strategic requirement.</p> <p>None of these policies nor other policies elsewhere in this NDP are considered inconsistent with Government or HCS provisions relating to protecting and enhancing the environment or the environmental component of sustainable development.</p>
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<p>Proposals should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation (NPPF para 180c).</p> <p>181. Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement (NPPF para 181).</p> <p>The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes) (NPPF para 183).</p>	<p>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 – Extract)</b>  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 nutrient levels do not exceed conservation objectives within a SAC designated river. Proposals will need to fully mitigate the adverse effects of wastewater discharges into rivers caused by the development. This may involve:</p> <ul style="list-style-type: none"> <li>• measures to achieve water efficiency and/or a reduction in surface water discharge to the mains sewer network, in accordance with policy SD3;</li> <li>• phasing or delaying development until capacity is available;</li> <li>• developer contributions to contribute to improvements to waste water treatment works or other appropriate measures to release capacity to accommodate new development;</li> <li>• planning permission will only be granted where it can be demonstrated that there will be no adverse effect on the integrity of the SAC; and</li> <li>• 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.</li> </ul> <p>Where connection to the wastewater infrastructure network is not practical, alternative options should be considered in the order:</p> <ul style="list-style-type: none"> <li>- provision of or connection to a package sewage treatment works;</li> <li>- septic tank.</li> </ul>	
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	<p>With either of these non-mains alternatives, proposals should be accompanied by the following:</p> <ul style="list-style-type: none"> <li>- information to show there will be no likely significant effect on the water quality of the River Wye and the River Clun SACs; or</li> <li>- where there will be a likely significant effect upon a SAC river, information to enable the council to ascertain that there will be no adverse effect on the integrity of the SAC;</li> <li>- in relation to the SACs, the inclusion of measures achieving the highest standard of water quality discharge to the natural drainage system including provision for monitoring.</li> </ul> <p>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.</p>	
<p><b>Conserving and enhancing the historic environment</b></p> <p>Heritage assets should be conserved in a manner appropriate to their significance. (NPPF para 184).</p> <p>185. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment that takes into account (NPPF para 185):</p> <ul style="list-style-type: none"> <li>a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;</li> <li>b) the wider social, cultural, economic and environmental</li> </ul>	<p><b>(Policy SS6 – Extract)</b> Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, historic 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 (among others):</p> <ul style="list-style-type: none"> <li>• landscape, townscape and local distinctiveness 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>The NDP supports policies to protect the historic environment set out in Herefordshire Local Plan Core Strategy. It is considered that no proposals are advanced for Dilwyn area that would conflict to any significant extent with policies to protect the historic environment or heritage assets or their settings (NPPF para 184).</p> <p><b>Policy DW7</b> makes reference to conserving or enhancing such assets in accordance with their significance. <b>Policy DW8</b> and associate Appendix 1 set out more detailed advice upon the importance (or significance) of assets in contributing to character and appearance of Dilwyn Conservation Area. <b>Policy DW4</b> proposes a site for development adjacent to a Scheduled Ancient Monument and contains appropriate provisions to enable the effects upon the significance of that monument and</p>



<p>benefits that conservation of the historic environment can bring;</p> <p>c) the desirability of new development making a positive contribution to local character and distinctiveness; and</p> <p>d) opportunities to draw on the contribution made by the historic environment to the character of a place.</p> <p>Use up-to-date evidence about the historic environment in their area to (NPPF para 187):</p> <p>a) assess the significance of heritage assets and the contribution they make to their environment; and</p> <p>b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.</p> <p>Identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal (NPPF para 190).</p>	<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 LD4 – Extract)</b> Development proposals affecting heritage assets and the wider historic environment should:</p> <ol style="list-style-type: none"> <li>1. Protect, conserve or where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible;</li> <li>2. where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;</li> <li>3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;</li> <li>4. record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and</li> <li>5. where appropriate, improve the understanding of and public access to the heritage asset.</li> </ol> <p>The scope of the works required to protect, conserve and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p>	<p>any associated and other assets that might be found although taking into account such evidence about the likelihood (or not as the case may be) that this exists. The significance of the Scheduled Monument and the effects of the proposed site brought forward through this policy on this and its setting was assessed in a manner considered appropriate to a neighbourhood/local plan and is set out in Appendix 1 the Schedule of Representations received at the Regulation 14 consultation stage located within the Consultation Statement (NPPF para 184).</p> <p><b>Policy DW7</b> sets out the overall approach to the conservation of heritage assets within the parish, including those of local interest. <b>Policy DW8</b>, through reference to Appendix 1, identifies the character and appearance of Dilwyn village Conservation Area and setting, defining its sense of 'place'. <b>Policy DW6</b> seeks to safeguard the historic landscape, especially that within which Dilwyn village sits. <b>Policy DW13</b> seeks to protect heritage assets from any effects resulting from economic development proposals in order to safeguard their contribution to tourism (NPPF para 185). Known heritage assets are listed in <b>paragraph 2.11</b>.</p> <p><b>Policy DW4</b> has been informed by an analysis of the historic environment using information available, including from Herefordshire Council's Historic Environment Record. In addition, evidence used by Herefordshire Council in assessing this site and advice provided to the landowner's agent has also been used. <b>Appendix 1</b> (relating to <b>policy DW8</b>) utilises information produced by Herefordshire Council in its draft Conservation Area Appraisal. <b>Appendix 1</b> also contains a</p>
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<p>Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision (NPPF para 191).</p> <p>Take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (NPPF para 192a).</p> <p>Take into account the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality (NPPF para 192b).</p> <p>Take into account the desirability of new development making a positive contribution to local character and distinctiveness (NPPF para 192c).</p> <p>When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (NPPF para 193).</p> <p>Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or</p>		<p>list of heritage assets obtained from Historic England's website (NPPF para 187).</p> <p><b>Policy DW7</b> requires relevant development proposals to be informed by an appropriate assessment of their heritage value. In addition, this policy requires that such assessments should include full archaeological investigations where appropriate (NPPF para 190).</p> <p>Leading on from the above (NPPF para 187) the site proposed for housing through <b>policy DW4</b> sits adjacent to the Dilwyn Castle Moated Mound Scheduled Ancient Monument. The significance of this Scheduled Monument and the effects of the proposed site brought forward through this policy on this and its setting was assessed in a manner considered appropriate to a neighbourhood/local plan and is set out in Appendix 1 the Schedule of Representations received at the Regulation 14 consultation stage located within the Consultation Statement (NPPF para 190).</p> <p>The boundary of the Scheduled Ancient Monument lies immediately on the edge of the proposed site but not within it. The monument itself is, therefore, not directly affected (NPPF para 190).</p> <p>There may be some effect upon its setting although it is considered that in the light of criterion <b>DW4 (vii)</b> this can be reduced to less than significant and still allow for the suggested level of development proposed (30 dwellings), given that the full extent of the site is 3.7 hectares and capable of accommodating around 90 dwellings at a reasonable medium density. The landowner's agent has consulted the community on a scheme of this level leaving</p>
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<p>destruction, or from development within its setting), should require clear and convincing justification (NPPF para 194). Substantial harm to or loss of:</p> <p>a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;</p> <p>b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.</p> <p>Proposed development should not lead to substantial harm to (or total loss of significance) of a designated heritage asset unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply (NPPF para 195):</p> <p>a) the nature of the heritage asset prevents all reasonable uses of the site; and</p> <p>b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and</p> <p>c) conservation by grant-funding or some form of not for profit, charitable</p>		<p>a significant area free from development (See Annex 1 at the end of this statement) (NPPF para 190).</p> <p>The monument cannot be viewed across the land proposed for housing. Local knowledge is required to recognise its presence from this direction, which is alluded to by what appears as a coppice/small area of woodland. The Monument is more readily visible from the east and this has been given greater weight in terms of the site assessment where sites were submitted in this general direction (NPPF para 190).</p> <p>Evidence of the weight given to the effect of developing this site by Herefordshire Council was also taken into account. The site is the only one considered to have any potential within the village in Herefordshire Council's Strategic Housing Land Availability Assessment (SHLAA), with no comments from either its Historic Buildings or Archaeological teams; neither of these teams commented adversely upon the draft plan when consulted at the Regulation 14 stage; and the landowner's agent received no specific advice in this regard other than to recognise the suitability of the site in principle for housing, and the need for a Heritage Assessment to assess the impact upon the Castle Mound when seeking pre-application advice from Herefordshire Council. In relation to the latter in fact, the landowner's agent, who had suggested a smaller scheme on part of the site was advised to accommodate a larger number of houses across the SHLAA site. This resulted in the sketch scheme presented at Annex 1 (NPPF para 190).</p> <p>One of the areas proposed as Local green Space has been identified as having important</p>
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<p>or public ownership is demonstrably not possible; and</p> <p>d) the harm or loss is outweighed by the benefit of bringing the site back into use.</p> <p>Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (NPPF para 196).</p> <p>Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred (NPPF para 198).</p> <p>Developers should record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted (NPPF para 199).</p> <p>Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or</p>		<p>heritage value (<b>Policy DW10[2]</b>). This is identified from evidence held within Herefordshire Council's Historic Environment record (NPPF para 190).</p> <p>No evidence has been found of deliberate neglect of any heritage asset (NPPF para 191).</p> <p>The community has a good track record of supporting initiatives to retain its heritage assets in that it took control of the village school (main building is Listed) when threatened with closure and now runs the village pub, the Crown Inn, which is a building of local interest. The combination of <b>policies DW7 and DW16</b> would enable further such initiatives and could be used to support the conversion of an outbuilding within the curtilage of the Crown Inn to a village shop, which is currently being investigated (NPPF para 192).</p> <p><b>Policy DW4</b> would enable the southern edge of the Dilwyn Castle Moated Mound to be investigated further through an archaeological investigation in accordance with <b>criterion DW4(vi) and policy DW7</b> in an area where lidar and HER evidence suggests there may be some remains present (NPPF para 193).</p> <p>Some further investigation of other parts of the site may also be undertaken in accordance with these provisions although there is no evidence that further remains are likely and, in fact, the reverse is likely to be the case. The field was marshland, reflected in its historical field name of 'mere meadow' and poorly drained, which, from evidence presented in the heritage impact assessment, has relatively recent seen drainage works undertaken.</p>
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<p>other public depository (NPPF Footnote No 64).</p> <p>Look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (NPPF para 200).</p> <p>Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole (NPPF para 201).</p> <p>Assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweighs the disbenefits of departing from those policies (NPPF para 202).</p>		<p>Nevertheless, some further investigations as part of a more detailed heritage impact assessment would help to clarify this (NPPF para 193).</p> <p>Only the site advanced through <b>policy DW4</b> affects a heritage asset and the Heritage Impact Assessment undertaken as part of work upon the plan suggests that with appropriate policy requirements it should be possible to achieve the level of development indicated without causing substantial harm to Dilwyn Castle Moated Mound Scheduled Ancient Monument (NPPF para 194).</p> <p>Only the site advanced through <b>policy DW4</b> affects a heritage asset and the Heritage Impact Assessment undertaken as part of work upon the plan suggests that with appropriate policy requirements it should be possible to achieve the level of development indicated without causing substantial harm to Dilwyn Castle Moated Mound Scheduled Ancient Monument (NPPF para 195).</p> <p>Again, in relation to <b>policy DW4</b>, although the heritage impact assessment suggests that proposals can be advanced while protecting the adjacent Scheduled Monument from substantial harm, the proposal will provide benefits. These include providing for both the amount of housing required by Herefordshire Local Plan Core Strategy and enabling a range of housing types to meet local needs. The development will help to support local services and facilities, enable a balanced community, and avoid the development of sites that would have a far greater adverse effect on the Scheduled Monument, Conservation Area character and village highway network (NPPF para 196).</p>
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		<p>No proposals are considered to result in the direct loss of any heritage asset. The sites proposed in the NDP have been submitted by landowners and are considered to be 'available' within the context of preparing the NDP. There is no reason to believe they will not come forward for development (NPPF para 198).</p> <p><b>Policy DW7</b> requires, where appropriate, analysis of heritage value and/or full archaeological investigations to be undertaken where appropriate. Any evidence found would be submitted with relevant planning applications and subsequently lodged within Herefordshire's Historic Environment Record. There are specific requirements for a heritage impact assessment and full archaeological investigation for the site covered by <b>policy DW4</b> (NPPF para 199).</p> <p><b>Policy DW4</b> requires a full archaeological investigation and Heritage Impact Assessment to be prepared for the proposed housing site adjacent to Dilwyn Castle Mound and these would, as a matter of course, be lodged within Herefordshire's Historic Environment Record (NPPF footnote 64).</p> <p><b>Policy DW7</b> asks for full archaeological investigations to be undertaken where appropriate and, again, any evidence found would be submitted with relevant planning applications and subsequently lodged within Herefordshire's Historic Environment Record (NPPF footnote 64).</p> <p>No opportunities have been identified to enhance or better reveal the significance of the character or appearance, including the</p>
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		<p>setting, of Dilwyn Conservation area, although <b>policy DW8, especially clauses 4 and 7</b>, promotes such efforts (NPPF para 200).</p> <p>Similarly, with the exception of <b>policy DW4</b> referred to below, no opportunities to enhance or better reveal the significance of heritage assets have been identified but <b>policy DW7</b> addresses this issue more generally (NPPF para 200).</p> <p><b>Policy DW3</b> allocates two sites for housing. The smaller of the two falls within the Conservation Area boundary and its development should be capable of being achieved in accordance with policy DW8. No heritage assets are understood to be located within its vicinity. The second site is also covered by <b>policy DW4</b> and the approach taken to safeguarding the significance of the adjacent Scheduled Ancient Monument is described above. Although the site falls outside of the Conservation Area, it does sit on its boundary and design to reflect the character of the village is important. <b>Criterion DW4(i)</b> coupled with <b>policy DW8</b>, which refers to the need for sites on its border to comply with Conservation Area requirements, provide a reasonable basis for ensuring the village character is conserved(NPPF para 200).</p> <p>Part of Weobley Conservation Area falls within Dilwyn Parish although this part contains no buildings or areas likely to be developed. As a consequence, Herefordshire Local Plan Core Strategy policy LD4 is considered sufficient for the purposes of conserving or enhancing its character or appearance (NPPF para 200).</p> <p>No proposals are advanced within the NDP that would result in the loss of any buildings or</p>
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		<p>other important elements that make a positive contribution to the Conservation Area (NPPF para 201).</p> <p>No proposals are advanced for enabling development (NPPF para 202).</p> <p><b>Policies DW4, DW7 and DW8</b> or other policies elsewhere in this NDP are not considered to be inconsistent with Government or HCS provisions relating to protecting and enhancing the historic environment.</p>
<p><b>Waste Planning</b></p> <p>Local authorities should have regard to Government's planning policies for waste and other policies in the NPPF so far as they may be relevant (NPPF para 4).</p>	<p><b>(Policy SS6 – Extract)</b> Development proposals should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, 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 (among others):</p> <ul style="list-style-type: none"> <li>• physical resources, including management of waste.</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 where undertaken to define local distinctiveness, should inform decisions upon proposals.</p>	<p>No specific strategic proposals for dealing with waste are included in HCS and no local issues have been identified to be included in this NDP. The matter needs to be addressed on a strategic basis and in an integrated way and it is accepted that the Minerals and Waste Local Plan will be the most appropriate plan to cover this issue.</p> <p>However, <b>Policy DW11</b> requires development proposals to contain a co-ordinated package of measures to produce as low a carbon footprint as possible and this could include provision for recycling storage which would encourage recycling when linked to possible policies within the forthcoming Natural Resources/Minerals and Waste Local Plan. It might also include minimising construction waste as part of an overall approach.</p>

	<p><b>(Policy SS7- Extract)</b> Development proposals will be expected to include measures which will mitigate their impact on climate change.</p> <p>Key considerations in terms of responses to climate change include (among others):</p> <ul style="list-style-type: none"> <li>• reduction, re-use and recycling of waste with particular emphasis on waste minimisation on development sites;</li> </ul> <p><b>Policy SD1 – Sustainable design and energy efficiency</b></p> <p>Development proposals should include high quality sustainable design that also creates a safe, accessible, well integrated environment for all members of the community. In conjunction with this, all development proposals should incorporate the following requirements (among others):</p> <ul style="list-style-type: none"> <li>• utilise physical sustainability measures that include, in particular, orientation of buildings, the provision of water conservation measures, storage for bicycles and waste including provision for recycling, and enabling renewable energy and energy conservation infrastructure;</li> </ul>	
<p><b>Facilitating the sustainable use of minerals</b></p> <p>So far as practicable, take account of the contribution that substitute, or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously(NPPF para 204b).</p>	<p>A Minerals and Waste Local Plan is to be prepared by Herefordshire Council and this will not be a matter for neighbourhood plans.</p> <p>There is one primary consideration that neighbourhood plans should consider, however, and this is expressed in Saved Herefordshire Unitary Plan Policy M5 relating to safeguarding mineral reserves:</p> <p><b>M5 Safeguarding mineral reserves</b></p> <p>Proposals which could sterilise potential future mineral workings will be resisted in order to safeguard identified mineral resources.</p>	<p>Mineral issues are not appropriate to a neighbourhood plan. Land to the south-west of Orchard Close and Castle Mount proposals is identified as an area where mineral reserves are to be safeguarded. However, the adverse environmental, pollution and amenity effects of quarrying in such a location immediately adjacent to the village and Castle Mount Scheduled Monuments and its associated ponds, combined with the need for housing identified in the Core Strategy is considered to significantly outweigh the harm that extraction would cause. The environmental, pollution and amenity concerns would apply to a significant</p>

<p>Set out policies to encourage the prior extraction of minerals, where practical and environmentally feasible, if it is necessary for non-mineral development to take place(NPPF para 204d);</p> <p>Safeguard existing, planned and potential sites for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material(NPPF para 204e);</p> <p>Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working (NPPF para 206).</p>	<p>Where such development is proposed, the applicant may be required:</p> <ol style="list-style-type: none"> <li>1. to undertake a geological assessment of the site; and/or</li> <li>2. to protect the minerals in question; and/or</li> <li>3. to extract all or part of the mineral reserves as part of or before the other development is permitted.</li> </ol> <p>In such cases mineral extraction will only be required when the need for the other development significantly outweighs the harm which extraction might cause to other matters of acknowledged importance.</p>	<p>safeguarding zone surrounding the village and it is considered that development of <b>site DW4</b> would not lead to the extension of such a zone such that additional safeguarded minerals would be sterilised.</p> <p>Herefordshire Council has not objected to the development of the site on the grounds that the area should be protected for future mineral extraction or it would lead to additional sterilisation of mineral reserves (Planning Practice Guidance Paragraph: 005 Reference ID: 27-005-20140306.)</p>
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## Section 4 – Compliance with European Obligations

European Obligation	Dilwyn Neighbourhood Development Plan Provisions
<p>Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive)</p>	<p>The SEA (August 2018) for the Draft Neighbourhood Development Plan concluded that:</p> <p><i>‘On the whole, it is considered that the Dilwyn Parish 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). Parish Councillors will welcome the conclusion as to general conformity. It also does not propose any growth that would be over and above that prescribed by strategic policies.’</i> (Non-Technical summary).</p> <p>Reference was made to the need to enhance existing policies in regard to air quality and water resources. However, these matters are covered by development management policies within Herefordshire Local Plan Core Strategy policies (SD1 and SD3) and, beyond reference to the protection of residential amenity within the NDP, their duplication would not serve any useful purpose. The principle housing proposal is located so as to provide the least adverse effect on the amenity of village residents.</p> <p>The detailed analysis within this assessment was reviewed following changes to the draft plan in order to produce the Submission Draft Neighbourhood Development Plan.</p> <p>The conclusions of the SEA for the Submission draft NDP (January 2019) indicates:</p> <p><i>‘None of the NDP policies are considered to be in direct conflict with or propose greater levels of growth and development than strategic policies contained in the Local Plan (Core Strategy), which themselves have undergone a full Sustainability Appraisal.’</i> (Paragraph 6.9)</p> <p>In relation to the proposed changes following the Regulation 14 consultation, the SEA concluded</p> <p><i>‘Wording changes were made to DW1, DW5, DW6, DW18 and DW19 and Objective 5 in light of the consultation comments to add additional clarification on the criteria.’</i> (Paragraph 6.10)</p> <p>Policies DW4 and DW11 were more significantly amended and had additional criteria added for further clarification and inclusion of key topics such as design and appearance and development regarding historical assets. In relation to these the SEA concluded:</p> <p><i>‘The amended policies DW4 and DW11 were re screened for their impact on the SEA baseline and the cumulative impact over the course of the plan period. The results of this assessment, shown at Appendix 8, reveal that the outcomes of Stage B of the SEA process mentioned above were largely unaffected by the refinements. The conclusion for</i></p>

	<p><i>amended policies is that these criteria-based policies will have no significant effects towards the surrounding environment.</i>' (Paragraph 6.11)</p> <p>The SEA continued to maintain the conclusion of the earlier assessment which was:</p> <p><i>'Taking into consideration the cumulative effects of policies, options and sites, the plan will have an overall positive impact on environmental assets. The plan is in general conformity with the Core Strategy overall an all of the policies and objectives meet the Core Strategy requirements for the purposes of the SEA. Other issues with a current uncertain outcome have the opportunity to be mitigated by further detail in polices or at planning stage.'</i> (Non-Technical summary)</p>
<p>Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and improve Europe's most important habitats and species.</p>	<p>Screening of the Dilwyn Neighbourhood Development Plan within the Habitats Regulation Assessment (HRA) Addendum Report (January 2019) reviewed the findings of the previous HRA (August 2018) and considered the effects of the changes to the draft plan that were made to produce the Submission Draft Plan. This concluded that the Submission Draft Dilwyn NDP:</p> <p><b>'The submission Dilwyn NDP will not have a likely significant effect on the River Wye SAC (including Lugg).'</b>' (Paragraphs 7.7 and 9.1).</p> <p>In addition, the HRA (January 2019) para 8.4 also concluded that it was unlikely that the draft Dilwyn Plan will have any in-combination effects with any plans from neighbouring parish councils as the level of growth proposed is the same as that proposed for the Leominster Housing Market Area in the Herefordshire Core Strategy.</p> <p>The assessment took into account the 'Sweetman' case.</p>
Human Rights	<p>The policies within the Plan are considered to comply with the requirements of the EU obligations in relation to human rights.</p>
Water Framework Directive	<p>The Environment Agency has not indicated that any proposals within this Plan would conflict with measures and provisions it is advocating to meet its obligations under this Directive as set out in the Severn River Basin Management Plan or the River Wye Nutrient Management Plan.</p>

# Annex 1: Outline of Broad Principles Presented to the Community by Landowner

