

Eaton Bishop Submission Neighbourhood Development Plan

Paragraph 8 of Schedule 4b

Draft 'Basic Conditions' Statement

1.0 Legal Requirements

The Submission Plan is being submitted by a qualifying body

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

What is being proposed is a neighbourhood development plan

The plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

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

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from the Plan being made (2016) up to 2031 (the same period as the Herefordshire Core Strategy Local Plan).

The policies do not relate to excluded development

The Neighbourhood Plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or any other matters set out in Section 61K of the Town and Country Planning Act 1990.

The proposed Neighbourhood Plan does not relate to more than one neighbourhood area and there are no other neighbourhood development plans in place within the neighbourhood area.

The Neighbourhood Plan proposal relates to the Eaton Bishop Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area.

2.0 Basic Conditions

Have Appropriate Regard to National Policy

The Eaton Bishop Neighbourhood Development Plan has been produced with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF). Paragraphs 183-185 of the NPPF outline specific guidance in relation to the production of Neighbourhood Plans. Paragraph 184 states that “The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the local area. Neighbourhood Plans must be in general conformity with the strategic policies of the local plan.” The Neighbourhood Plan has been drafted with regard to the planning policies of Herefordshire Council, and the comprehensive evidence base that supports these policies.

Paragraph 184 also states that Neighbourhood Plans should “not promote less development than set out in the Local Plan or undermine its strategic policies”. The Eaton Bishop Neighbourhood Plan does not undermine the strategic policies of Herefordshire Council; the Plan aims to support these policies by supporting housing development on allocated sites and within settlement boundaries, protecting local built and natural heritage assets from insensitive new development and supporting appropriate economic development.

The Plan has regard to the twelve core planning principles set out within paragraph 17 of the Framework, as set out in Table 1 below:

Table 1 NPPF Core Planning Principles and the Eaton Bishop Submission Neighbourhood Development Plan

NPPF Core Planning Principle	Regard that Eaton Bishop Neighbourhood Plan has to guidance
<p>Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and Neighbourhood Plans setting out a positive vision for the future of the area. Plans should be kept up to date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p>	<p>The Parish Council has produced the Submission Plan in line with this guidance. It will provide a framework to ensure that development is genuinely plan-led, and through involvement of the local community in shaping its policies and proposals through informal and formal consultation, the Plan will empower local people to shape their surroundings. The vision, objectives, policies and proposals in the Plan have been developed through community engagement. The Plan sets out a positive vision for the area up to 2031. The Neighbourhood Plan sets out a concise and practical suite of policies (13 in total) to guide development management decisions.</p>

<p>Planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.</p>	<p>The Submission Neighbourhood Plan offers the local community the opportunity to shape the future development of Eaton Bishop Parish in a creative way, ensuring that the quality of the place is enhanced by including policies which protect sensitive landscapes and promote high quality design whilst at the same time supporting local business development in former agricultural buildings and investment in local community facilities.</p>
<p>Planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.</p>	<p>The Submission Neighbourhood Plan supports appropriate rural enterprise in Policies EB9 – EB13.</p>
<p>Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>	<p>Protection of the local environment and its historic heritage are addressed by Policies EB5 and EB6. Policy EB5 protects local landscape character and biodiversity and Policy EB6 protects built heritage and archaeology and requires high quality design.</p>
<p>Planning should take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.</p>	<p>The Plan recognises the rural character of the Parish and its particular sensitivity to new development. The supporting text describes in detail the rural landscape setting around Eaton Bishop and Ruckhall and Policy EB1 protects the green gap between the 2 settlements.</p>

<p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).</p>	<p>The NDP as a whole supports sustainable development and addresses the need to tackle climate change and manage resources sustainably.</p> <p>The proposed site allocations are all in areas at lowest risk of flooding (flood zone 1).</p> <p>Policy EB6 encourages the re-use of reclaimed materials and timber from sustainable sources and therefore promotes sustainable use of resources.</p> <p>Policy EB8 sets out criteria for reducing flood risk and incorporating flood resilience measures in new properties.</p> <p>Policy EB9 encourages the appropriate re-use of redundant former agricultural buildings for new business uses.</p> <p>Policy EB13 supports sustainable community energy schemes.</p>
<p>Planning should contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the Framework.</p>	<p>The need to conserve and enhance the natural environment is a recurrent theme running through the whole of the Eaton Bishop NDP.</p> <p>The proposed site allocations have been through a site assessment process which included consideration of agricultural land classifications and potential impacts on sites of wildlife significance.</p> <p>Policy EB5 requires new development proposals to include ecological benefits as part of landscaping and building design.</p>
<p>Planning should encourage the effective use of land by reusing land that has been previously developed (Brownfield land), provided that it is not of high environmental value.</p>	<p>The site allocations include an extensive domestic garden (EB2/2) and a brownfield site which is in use as a farmyard (EB2/4).</p>
<p>Planning should promote mixed-use developments, and encourage multiple benefits from the use of land in urban and rural areas,</p>	<p>Eaton Bishop is a rural area and sparsely populated and large scale developments with a mix of uses would be inappropriate. However the Plan</p>

<p>recognising that some open land can perform many functions (such as wildlife, recreation, flood risk mitigation, carbon storage or food production).</p>	<p>supports small scale new housing schemes within existing settlements and rural diversification of former agricultural buildings to support economic development and employment opportunities.</p> <p>The Plan promotes a green infrastructure approach to new development in Policy EB5 which recognises that land and buildings can perform a range of functions including supporting wildlife, and mitigating and responding to climate change.</p>
<p>Planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations</p>	<p>The Submission Neighbourhood Plan is fully in line with this principle.</p> <p>The Plan notes the existing built heritage assets in the Parish; there are 21 listed buildings and scheduled monuments including Eaton Camp. The NDP promotes high quality design which enhances the distinctive local character of existing settlements and buildings (Policy EB6). The setting of Eaton Camp is protected through the identification of a buffer zone in the Policy which was agreed with Herefordshire Council.</p>
<p>Planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable</p>	<p>Policy EB1 requires development proposals to provide suitable access taking into consideration the rural nature of the roads in and around Eaton Bishop and Ruckhall.</p>
<p>Planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural services to meet local needs</p>	<p>The Neighbourhood Plan is fully in accord with this principle. Policy EB7 protects community facilities and supports investment in new facilities such as playing fields and infrastructure to enhance health and local well being.</p>

Have Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

The Submission Neighbourhood Plan has special regard to the desirability of preserving features of architectural or historic interest within the Parish through **Policy EB6** which seeks to ensure designs for new buildings are sensitive to local character.

Have Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Plan area has no Conservation Areas.

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

The Neighbourhood Plan has been subjected to a separate Screening Process for Strategic Environmental Assessment Scoping and Habitat Regulations Assessment Screening prepared by Herefordshire Council and subsequent Environmental Report published for consultation with Natural England, Environment Agency and English Heritage.

Contribute to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development.

Paragraphs 6-10 of the National Planning Policy Framework outline the Government's definition of sustainable development.

The UK Government's interpretation of the concept of sustainable development builds on that of the UN resolution 24/187, which is 'meeting the needs of the present without compromising the ability of future generations to meet their own needs.'

The NPPF amplifies this simple definition, at paragraph 7, stating that sustainable development has three dimensions, economic, social and environmental. Planning needs to perform a number of roles in relation to these issues:

- "an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- ❑ a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well- being; and
- ❑ an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

In Paragraph 6, the NPPF states that “the policies in paragraphs 18-219, taken as a whole, constitute the Government’s view of what sustainable development in England means in practice for the planning system”.

Table 1 above gives a clear and comprehensive narrative of how the framework complies with the Core Planning Principles of the NPPF, and by corollary, the achievement of sustainable development.

Table 2 below summarises how the policies and allocations in the Submission Plan contribute to the economic, social and environmental aspects of sustainable development.

Table 2 Submission Plan’s contribution to the economic, social and environmental aspects of sustainable development.

Sustainable Development Role	Neighbourhood Development Plan’s Contribution
Economic	The Submission Neighbourhood Plan seeks to support appropriate local economic development in rural areas through appropriate conversion and redevelopment of former agricultural buildings for new economic uses.
Social	The Plan protects local community facilities and recognises the role of the landscape and countryside in supporting health and wellbeing of residents.

	The Plan supports appropriately sited and designed new housing in the Eaton Bishop and Ruckhall as part of the overall Herefordshire Council strategy to provide new housing focussed on identified rural settlements.
Environmental	The Submission Neighbourhood Plan sets out policies that protect local and enhance local landscape character and existing settlements and built heritage assets.

Be in General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with the Adopted Herefordshire Local Plan Core Strategy 2011 – 2031.

Table 3 Conformity with Local Strategic Policy

<i>Eaton Bishop Neighbourhood Development Plan</i>	<i>Herefordshire Local Plan Core Strategy 2011 – 2031 Adopted October 2015</i>
<u>Policy EB1 Supporting New Housing within the Eaton Bishop and Ruckhall Settlement Boundaries</u>	<p>Policy SS2 Delivering new homes</p> <p>A supply of deliverable and developable land will be identified to secure the delivery of a minimum of 16,500 homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need.</p> <p>Hereford is the focus for new housing development to support its role as the main centre in the county. Outside Hereford, the main focus for new housing development will take place in the market towns of Bromyard, Kington, Ledbury, Leominster and Ross on Wye, on existing or new allocations to enhance their roles as multi-functional centres for their surrounding rural areas. In the rural areas new housing development will be acceptable where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community. In the wider</p>

	<p>rural areas new housing will be carefully controlled reflecting the need to recognise the intrinsic character and beauty of the countryside.</p> <p>The use of previously developed land in sustainable locations will be encouraged.</p> <p>Residential density will be determined by local character and good quality design. The target net density across the county is between 30 and 50 dwellings per hectare, although this may be less in sensitive areas.</p> <p>The broad distribution of new dwellings in the county will be a minimum of:</p> <p>Rural Settlements – see list in Place - Shaping section</p> <p>More limited range of services and some limited development potential but numerous locations</p> <p>5,300 new homes.</p> <p>Policy RA1 – Rural housing distribution</p> <p>In Herefordshire’s rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county’s housing needs. The development 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 as illustrated in Figure 4.13. This acknowledges that different areas of Herefordshire have different housing needs and requirements.</p> <p>The 5,300 dwellings will be delivered throughout the rural HMAs as set out in the table below. The indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of neighbourhood development plans in the county. Local evidence and environmental factors will determine the appropriate scale of development.</p>
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Rural HMA	Approximate number of dwellings 2011 - 2031	Indicative housing growth target (%)
Bromyard	364	15
Golden Valley	304	12
Hereford	1870	18

Policy RA2 – Housing in settlements outside Hereford and the market towns.

To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned.

The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity.

Housing proposals will be permitted where the following criteria are met:

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;
2. Their locations make best and full use of suitable brownfield sites wherever possible;

	<p>3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and</p> <p>4. They result in the delivery of schemes that generate the size, type, tenure and range of housing that is required in particular settlements, reflecting local demand.</p> <p>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need and their long-term retention as local needs housing is secured as such.</p> <p>Eaton Bishop is identified in Figure 4.14 as one of the settlements which will be the main focus of proportionate housing and Eaton Bishop is identified in Figure 4.15 as one of the other settlements where proportionate housing is appropriate.</p> <p>Development.</p>
<p><u>Policy EB2 Site Allocations</u></p>	<p>Policies SS2, RA1 and RA2 as above.</p>
<p><u>Policy EB3 Phasing</u></p>	<p>Policies SS2, RA1 and RA2 as above.</p>
<p><u>Policy EB4 Encouraging a Mix of New Housing</u></p>	<p>Policy H3 – Ensuring an appropriate range and mix of housing</p> <p>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 larger housing sites of more than 50 dwellings developers will be expected to:</p> <ol style="list-style-type: none"> 1. provide a range of house types and sizes to meet the needs of all households, including younger single people; 2. provide housing capable of being adapted for people in the community with additional needs; and 3. provide housing capable of meeting the specific needs of the elderly population by: <ul style="list-style-type: none"> - providing specialist accommodation for older people in suitable locations; - ensuring that non-specialist new housing is built to take account of the

	<p>changing needs of an ageing population; - ensuring that developments contain a range of house types, including where appropriate, bungalow accommodation. 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><u>Policy EB5 Green Infrastructure and Protecting Local Landscape Character and Biodiversity</u></p>	<p>Policy SS1 Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SS6 Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy.</p> <p>Policy LD1 – Landscape and townscape</p> <p>Development proposals should:</p> <ul style="list-style-type: none"> - 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; - 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;

	<p>- incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure.</p> <p>Policy LD3 Green infrastructure</p> <p>Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:</p> <ol style="list-style-type: none"> 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; 2. provision of on-site green infrastructure; in particular proposals will be supported where this enhances the network and 3. integration with, and connection to, the surrounding green infrastructure network.
<p><u>Policy EB6 Protecting Built Heritage and Archaeology and Requiring High Quality Design</u></p>	<p>Policies SS6 and LD1 as above.</p> <p>Policy LD4 – Historic environment and heritage assets</p> <p>Development proposals affecting heritage assets and the wider historic environment should:</p> <ol style="list-style-type: none"> 1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible; 2. the conservation and enhancement of heritage assets and their settings through appropriate management, uses and sympathetic design. Where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas;

	<p>3. use the retention, repair and sustainable use of heritage assets to provide a focus for wider regeneration schemes;</p> <p>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</p> <p>5. where appropriate, improve the understanding of and public access to the heritage asset.</p> <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><u>Policy EB7 Protecting Existing Community Facilities and Supporting New Infrastructure</u></p>	<p>Policy SS1 Presumption in favour of sustainable development</p> <p>When considering development proposals Herefordshire Council will take a positive approach that reflects the presumption in favour of sustainable development contained within national policy. It will always work proactively to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the social, economic and environmental conditions in Herefordshire.</p> <p>Policy SC1 Social and community facilities</p> <p>Development proposals which protect, retain or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p> <p>New development that creates a need for additional social and community facilities that cannot be met through existing social facilities - will be expected to meet the additional</p>

	<p>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>Policy ID1 Infrastructure Delivery</p> <p>Provision for new and/or the enhancement of existing infrastructure, services and facilities to support development and sustainable communities, will be achieved through a co-ordinated approach.</p> <p>Where necessary, in addition to planning conditions for essential on-site design requirements and critical infrastructure, developer contributions towards strategic infrastructure through s106 agreements and/or a future Community Infrastructure Levy (CIL), will be secured in accordance with national planning policies and other relevant legislation.</p> <p>A Planning Obligations Supplementary Planning Document (SPD) will provide details of the type and scale of obligations that may apply.</p>
<p><u>Policy EB8 Managing Flood Risk</u></p>	<p>Policy SS7- Addressing climate change</p> <p>Development proposals will be required to include measures which will mitigate their impact on climate change.</p> <p>At a strategic level, this will include:</p> <ul style="list-style-type: none"> - focussing development to the most sustainable locations; ... <p>Key considerations in terms of responses to climate change include:</p> <ul style="list-style-type: none"> - taking into account the known physical and environmental constraints when identifying locations for development; - 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;

	<p>- minimising the risk of flooding and making use of sustainable drainage methods;</p> <p>Policy SD3 – Sustainable water management and water resources</p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health and recreation.</p> <p>This will be achieved by ensuring that:</p> <p>1. development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire;</p>
<p><u>Policy EB9 New Business Development in Former Agricultural Buildings</u></p>	<p>Policy SS5 – Employment provision</p> <p>....</p> <p>The continuing 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.</p> <p>Policy RA5 – Re-use of rural buildings</p> <p>The sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, which will make a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to residential development, or is essential to the social well-being of the countryside, will be permitted where (various criteria).</p>

Policy RA6 - Rural economy

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.

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:

- support and strengthen local food and drink production;
- support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses;
- involve the small scale extension of existing businesses;
- promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism;
- promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced;
- support the retention of existing military sites;
- support the retention and/ or diversification of existing agricultural businesses;

Planning applications which are submitted in order to diversify the rural economy will be permitted where they;

- ensure that the development is of a scale which would be commensurate with its location and setting ;

	<ul style="list-style-type: none"> do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise and dust, lighting and smell; do not generate traffic movements that cannot safely be accommodated within the local road network and <p>do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.</p>
<u>Policy EB10 Poly-tunnels and Large Agricultural Buildings and other Rural Business Buildings</u>	<p>Policy RA6 - Rural economy – as above</p> <p>Policy LD1 – Landscape and townscape – as above.</p>
<u>Policy EB11 Design Guidance for Large Agricultural Buildings and other Rural Business Buildings</u>	<p>Policy RA6 - Rural economy – as above</p> <p>Policy LD1 – Landscape and townscape – as above.</p>
<u>Policy EB12 Intensive Livestock Units</u>	<p>Policy RA6 - Rural economy – as above</p> <p>Policy LD1 – Landscape and townscape – as above.</p>
<u>Policy EB13 Supporting Community Energy Schemes</u>	<p>Policy SS1 Presumption in favour of sustainable development – as above.</p> <p>Policy SD2 – Renewable and low carbon energy generation</p> <p>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"> 1. the proposal does not adversely impact upon international or national designated natural and heritage assets; 2. the proposal does not adversely affect residential amenity; 3. the proposal does not result in any significant detrimental impact upon the character of the landscape and the built or historic environment; and

	<p>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.</p> <p>In the case of energy generation through wind power developments, permission will only be granted for such proposals where:</p> <ul style="list-style-type: none"> • the proposed site is identified in a Neighbourhood Development Plan or other Development Plan Document as a suitable site for wind energy generation; and • 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.

Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

The Neighbourhood Plan has been subjected to an SEA Screening Assessment and full Strategic Environmental Assessment and Habitats Regulations Assessment undertaken by Herefordshire Council.

The Submission Neighbourhood Plan is fully compatible with the European Convention on Human Rights. It has been prepared with full regard to national statutory regulation and policy guidance, which are both compatible with the Convention. The Plan has been produced in full consultation with the local community. The Plan does not contain policies or proposals that would infringe the human rights of residents or other stakeholders over and above the existing strategic policies at national and district-levels, as demonstrated below.

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

Section 6 of the Act prohibits public bodies from acting in a manner, which is incompatible with the Convention. Various rights outlined in the Convention and its First Protocol are to be considered in the process of making and considering planning decisions, namely:

Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the conditions provided by law and by the general principles of international law. The Submission Neighbourhood Plan is fully compatible with the rights outlined in this Article. Although the Submission Plan includes policies that would restrict development rights to some extent, this does not have a greater impact than the general restrictions on development rights provided for in national law, namely the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.

Article 6 protects the right to a fair and public hearing before an independent tribunal in determination of an individual's rights and obligations. The process for Neighbourhood Plan production is fully compatible with this Article, allowing for extensive consultation on its proposals at various stages, and an independent examination process to consider representations received.

Article 14 provides that "The enjoyment of the rights and freedoms set forth in ... [the] ... European Convention on Human Rights shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." The Parish Council has developed the policies and proposals within the Plan in full consultation with the community and wider stakeholders to produce as inclusive a document as possible. In general, the policies and proposals will not have a discriminatory impact on any particular group of individuals.