

Madley Neighbourhood Development Plan 2011-2031

Basic Conditions Statement

CONTENTS

	Page
1. INTRODUCTION	1
2. LEGAL REQUIREMENTS	2
3. REGARD TO NATIONAL POLICIES AND ADVICE	3
4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT	15
5. GENERAL CONFORMITY WITH STRATEGIC POLICY	17
6. EU OBLIGATIONS	28
Table 1: National policies by NDP policy	5
Table 2: Sustainable development	16
Table 3: General conformity of NDP policies with strategic policies	17
Table 4: EU Obligations	28

1. INTRODUCTION

1.1 A draft Neighbourhood Development Plan must meet each of a set of basic conditions before it can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

1.2 This Statement has been prepared for Madley Parish Council to demonstrate that the Madley Neighbourhood Development Plan 2011-2031 (NDP) meets legal requirements and the prescribed basic conditions.

1.3 The Statement confirms that:

- the legal requirements have been met (section 2)
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the NDP (section 3)
- the NDP contributes to sustainable development (section 4)
- the NDP is in general conformity with the strategic policies contained in the relevant development plan, the Herefordshire Local Plan Core Strategy (section 5)
- the NDP does not breach and is otherwise compatible with EU obligations, and that the making of the NDP does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (section 6).

2. LEGAL REQUIREMENTS

- 2.1 The NDP relates to the area that was designated by Herefordshire Council as a Neighbourhood Area on 14 April 2015. The NDP relates only to this Area. No other Neighbourhood Development Plan has or is being made for the Area.
- 2.2 Madley Parish Council is a qualifying body.
- 2.3 The NDP is a plan which sets out policies in relation to the development and use of land in the Neighbourhood Area and which has been prepared in accordance with the statutory provisions.
- 2.4 The NDP specifies the period for which it is to have effect, which is 2011-2031.
- 2.5 The NDP does not include provision about development that is excluded development, such as mineral and waste matters, nationally significant infrastructure projects or other prescribed development under section 61K of the Town and Country Planning Act 1990.

3. REGARD TO NATIONAL POLICIES AND ADVICE

- 3.1 The NDP has been prepared with appropriate regard to the guidance contained within the National Planning Policy Framework (NPPF)¹ and Planning Practice Guidance (PPG).² The NDP will help achieve national planning policies at the parish level.
- 3.2 NPPF paragraph 13 sets out requirements for how communities engage in neighbourhood planning. In accordance with this national policy, the NDP supports the delivery of strategic policies set out in the Local Plan, including its policies for housing and economic development, and seeks to shape and direct development that is outside these strategic policies.
- 3.3 In accord with NPPF paragraph 16, the NDP:
- contributes to the objective of achieving sustainable development, as explained in section 4 of this Statement.
 - has been prepared positively, through community engagement and the allocation of land for housing as explained in the Consultation Statement.
 - has been shaped by early, proportionate and effective engagement with the community and other consultees, as explained in the Consultation Statement.
 - contains policies that are clearly written and unambiguous.
 - is accessible via the Parish Council website.
 - serves a clear purpose in the context of the Madley Neighbourhood Area, complementing rather than duplicating existing national and Local Plan policies as explained in this section and section 5.
- 3.4 The NPPF sets out more specific guidance on neighbourhood plans as follows:
- NPPF paragraph 29: Madley Parish Council have used neighbourhood planning powers to develop a local vision for the Neighbourhood Area and to set planning policies in the NDP as part of the statutory development plan.
 - NPPF paragraph 29: the NDP is considered to be in general conformity with the strategic policies of the Local Plan. In Herefordshire, these are the policies set out in the adopted Core Strategy.³ The NDP reflects the strategic policies and plans positively to support them. It does not promote less development than set out in the Core Strategy, or undermine its strategic policies. The NDP defines a settlement boundary for Madley and provides criteria-based planning policies to guide housing growth, economic development and

¹ February 2019.

² <https://www.gov.uk/government/collections/planning-practice-guidance>

³ Herefordshire Local Plan Core Strategy 2011-2031, October 2015, paragraph 1.14.

environmental protection. The general conformity of the NDP with the strategic policies of the Core Strategy is set out in more detail in section 5 below.

- NPPF paragraph 31: the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focussed tightly on supporting and justifying the policies concerned. In preparing the NDP, use has been made of existing evidence sources, supplemented as necessary by information from the earlier Parish Plan process; public consultation including on issues and options; a Call for Sites, Housing Site Assessment and Housing Site Selection Report; and a Community Workshop undertaken by The Prince's Foundation. This evidence is referred to throughout the NDP as required and is summarised in Appendix A of the Plan.

3.5 PPG indicates that a policy should be clear and unambiguous to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance further advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the context and the characteristics of the area.⁴ There is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies.⁵ In accordance with this guidance, NDP policies have been carefully crafted to be clear and unambiguous and are based on appropriate and proportionate evidence.

3.6 PPG advises that a neighbourhood plan can allocate sites for development, including housing, and that a qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.⁶ The NDP allocates a site for new housing development and in accord with this guidance a Call for Sites and a Housing Site Assessment/Housing Site Selection Report have been undertaken.

3.7 The regard had to national policies is set out in more detail on an NDP policy-by-policy basis in Table 1.

⁴ PPG Paragraph: 041 Reference ID: 41-041-20140306.

⁵ PPG Paragraph: 040 Reference ID: 41-040-20160211

⁶ PPG Paragraph: 042 Reference ID: 41-042-20170728

Table 1: National policies by NDP policy

NDP policy	Regard to national policies
<p>Policy M1: Sustainable development</p> <p>Development proposals which contribute to the sustainable development of the Madley Neighbourhood Area will be supported. In making this assessment, the following objectives will be sought and balanced, as relevant to the proposal:</p> <ol style="list-style-type: none"> 1. meeting strategic requirements for new housing and the needs of the local community; 2. taking all opportunities to conserve and enhance the distinctive natural and historic environment, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity; 3. providing new and diversified employment opportunities which are compatible and in scale with the rural nature of the area; 4. retaining and enhancing social and community infrastructure, and promoting and enabling new provision, to meet a range of needs and promote quality of life; 5. fostering sustainable transport provision and making use of opportunities to provide or support the provision of new or improved public transport, walking and cycling infrastructure and connectivity. 	<p>Policy M1 reflects the national policy objective that the purpose of the planning system is to contribute to the achievement of sustainable development, and that in doing so economic, social and environmental objectives should be pursued in a mutually supportive way (NPPF paras. 7 and 8).</p> <p>The NDP is the vehicle for guiding development in the locality towards sustainable solutions, taking into account the character, needs and opportunities of the Madley Neighbourhood Area (NPPF para.9).</p>
<p>Policy MH1: Housing delivery</p> <p>New dwellings will be delivered in the Madley Neighbourhood Area to meet local needs and to satisfy the minimum requirements of the Herefordshire Local Plan Core Strategy. This is enabled and demonstrated by:</p> <ol style="list-style-type: none"> 1. allocating land west of Archenfield, Madley, for housing; and 2. defining a settlement boundary to show the planned extent of development of Madley; and 	<p>Policy MH1 seeks to ensure that housing needs and requirements in the Neighbourhood Area will be met in accord with NPPF para. 59. The opportunities for allocating small and medium-sized sites have been considered (NPPF para. 69). The allowance made for windfalls is realistic and has been justified through evidence (NPPF para. 70).</p> <p>The policy is responsive to local circumstances and supports housing developments that reflect local needs in accord with NPPF para. 77.</p>

NDP policy	Regard to national policies
<ol style="list-style-type: none"> 3. supporting windfall housing proposals inside the Madley settlement boundary provided that planning requirements are met; and 4. acknowledging the potential for windfall housing development in the wider countryside outside Madley where this meets the requirements of Herefordshire Local Plan Core Strategy policy RA3 and allied policies. 	<p>It will help to promote sustainable development in the Neighbourhood Area by defining a settlement boundary for Madley and allocating a site for new housing in the village. Madley is a settlement identified in the Local Plan Core Strategy to receive proportionate housing development. This strategic approach is intended to enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned (policy RA2). This is in line with NPPF para. 78 which requires housing to be located where it will enhance or maintain the vitality of rural communities.</p>
<p>Policy MH2: Land west of Archenfield, Madley</p> <p>Land west of Archenfield, Madley is allocated for development for around 22 new dwellings. The site is shown on Plan 4. Proposals which meet the following site-specific requirements will be supported:</p> <ol style="list-style-type: none"> 1. dwellings are provided which contribute to meeting the latest assessment of housing needs including house type and size in accordance with policy MH4; and 2. 35% of the dwellings are provided as affordable housing available in perpetuity for those in local housing need; and 3. the scheme is designed by applying the principles of good placemaking and design guidance set out in the Madley Housing Manual and having regard to the essential qualities of the village; and 4. the built frontages to the B4352 and to Forty Farm Road are designed to provide a new distinctive village edge, retaining existing hedges and the mature tree at the site's north-eastern corner; and 5. vehicular access is taken from Forty Farm Road to the B4352; and 6. safe, direct and convenient pedestrian routes are provided along its northern and eastern boundaries and within the site, and 	<p>Policy MH2 allocates land for housing following consideration of the available and suitable opportunities. This is in accord with NPPF para. 69. The policy also seeks to be responsive to local needs as to the type and size of housing required, pursuant to NPPF para. 77.</p> <p>The allocation will help to promote sustainable development in rural areas and is situated in a settlement identified in the Local Plan Core Strategy as a main focus for proportionate housing development. This strategic approach is intended to enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned (policy RA2). This is in line with NPPF para. 78 which requires housing to be located where it will enhance or maintain the vitality of rural communities.</p> <p>The proposed open space will help to enhance the sustainability of the community in accord with NPPF para. 92.</p>

NDP policy	Regard to national policies
<p>which connect to the existing network of footpaths in the village including to the east along the B4352 and to Madley Footpath 52; and</p> <p>7. areas of open space landscaped with native species planting are provided including along the boundary between the site with existing housing to the east and in the site. Existing planting on the eastern boundary is to be retained and strengthened.</p>	
<p>Policy MH3: Madley settlement boundary</p> <p>A settlement boundary for Madley is defined and is shown on Plan 4. Proposals for housing within the settlement boundary will be supported where they respect the character of the settlement having regard to the Madley Housing Manual, are in accord with policy ME2 on building design and can be shown to be of a size and type to meet local requirements in line with policy MH4.</p>	<p>Policy MH3 is in accord with national policy to promote sustainable development in rural areas by locating housing where it will enhance and maintain the vitality of rural communities, and to avoid the development of isolated homes in the countryside (NPPF paras. 78 and 79). Madley is a settlement identified in the Local Plan Core Strategy as a main focus for proportionate housing development (policy RA2). Outside of settlements new housing is restricted to avoid an unsustainable pattern of development (policy RA3). The settlement boundary provides a basis for enabling this approach by defining the extent of the village.</p>
<p>Policy MH4: Type and size of housing</p> <p>In all cases, housing proposals should be able to demonstrate that they are of a type and size that positively contribute to meeting the latest assessment of housing needs, particularly for smaller properties.</p> <p>Development proposals which provide housing of a suitable size, tenure and style to meet local needs will be supported. In particular, smaller 2- or 3-bedroom property will be encouraged, as well as schemes designed to meet the needs of older people, first-time buyers and young families.</p> <p>Where a site includes a mix of affordable and open market housing, the affordable units should be distributed across the site and be designed to be indistinguishable from the open market units.</p>	<p>Policy MH4 seeks to ensure that housing needs and requirements in the Neighbourhood Area will be met in accord with NPPF paras. 59 and 77. The policy is responsive to local circumstances and supports housing developments that reflect local needs as to size, type and tenure in accord with NPPF para. 61.</p>

NDP policy	Regard to national policies
Proposals that seek to concentrate different types and tenures of homes in separate groups on a site will not be supported.	
<p>Policy MH5: Housing in the wider countryside</p> <p>Proposals for new housing in the countryside which accord with Herefordshire Local Plan Core Strategy policy RA3 will be supported where buildings:</p> <ol style="list-style-type: none"> 1. are sited and designed to protect local landscape character and the dark skies; and 2. are sited on poorer quality agricultural land in preference to land of higher quality. 	<p>Policy MH5 is in accord with national policy to promote sustainable development in rural areas by locating housing where it will enhance and maintain the vitality of rural communities, and to avoid the development of isolated homes in the countryside (NPPF paras. 78 and 79). It will also protect valued landscapes and soils (NPPF para. 170).</p>
<p>Policy ME1: Landscape character and wildlife</p> <p>Development proposals should protect, conserve and where possible enhance the natural environment of Madley Neighbourhood Area in accordance with the principles in Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3 by:</p> <ol style="list-style-type: none"> 1. avoiding likely harm to the River Wye Special Area of Conservation and to species of European importance; and 2. avoiding likely harm to Sites of Special Scientific Interest unless the benefits of the proposed development clearly outweigh the likely impacts on the conservation status of the Site concerned and on the national network of protected Sites; and 3. respecting the prevailing landscape character, as defined in the County Landscape Character Assessment; and 4. promoting the conservation, restoration and enhancement of other sites and features of landscape value and biodiversity interest in accordance with their status, including those identified in the Priority Habitats Inventory, Local Wildlife Sites, irreplaceable habitats such as ancient woodland and veteran trees, hedgerows, kettle ponds, other ponds, Madley Moat and 	<p>Policy ME1 has had regard to national policy in NPPF chapter 15 which deals with conserving and enhancing the natural environment. It is in line with NPPF para. 170 which requires planning policies to contribute to and enhance the natural and local environment by protecting valued landscapes and sites of biodiversity or geological value in a manner commensurate with their statutory status or identified quality.</p> <p>The policy distinguishes between the hierarchy of international, national and locally designated sites and takes a strategic approach to maintaining and enhancing networks of habitats and green infrastructure, in line with NPPF para. 171.</p>

NDP policy	Regard to national policies
<p>watercourses; and</p> <p>5. maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, and taking into account their role as green infrastructure.</p>	
<p>Policy ME2: Building design</p> <p>Development proposals should maintain and enhance the local distinctiveness of the Madley Neighbourhood Area and achieve a high quality of sustainable design by:</p> <ol style="list-style-type: none"> 1. following the principles of good placemaking and design guidance set out in the Madley Housing Manual and having regard to the essential qualities of the village. Proposals in the rural area outside Madley village should also apply the Manual as relevant to the scheme and also positively respond to the character of the surrounding landscape. A Design and Access Statement or similar should be provided to show how these requirements have been addressed; and 2. incorporating sustainability measures to include building orientation and design, energy and water conservation, sustainable construction methods and materials, the generation of renewable energy, and provision for the recycling of waste, cycle storage, communications and broadband technologies. All new housing should achieve the highest standards of energy conservation, being ideally carbon neutral whilst as a minimum complying with Building Regulations; and 3. being capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. The arrangements for access should include provisions for pedestrians and cyclists to encourage active travel wherever practicable; and 4. avoiding creating unacceptable impacts on residential amenity 	<p>Policy ME2 seeks to achieve a high quality of design reflecting NPPF chapter 12. In doing so it provides guidance on a range of matters including local character and landscape setting, architecture and layout, and landscaping. It also supports designs promoting a high level of sustainability (NPPF para. 131) and the reduction of greenhouse gas emissions (NPPF para. 150).</p> <p>The policy aims to prevent new and existing development from contributing to or being affected by unacceptable levels of pollution (NPPF para. 170 e).</p>

NDP policy	Regard to national policies
<p>and the tranquillity of the countryside from noise, volume and nature of traffic generated, dust or odour. External lighting should avoid undue adverse impacts on amenity, wildlife and dark skies; and</p> <ol style="list-style-type: none"> 5. in the case of proposals for new housing, be sited and designed to avoid adverse impacts on the amenity of the future occupants from the operation of existing uses, including agricultural and business operations; and 6. retaining and incorporating existing site features of amenity and biodiversity value, such as mature trees, ponds and hedgerows, and incorporate new provision for wildlife; and 7. providing for new landscaping which is in keeping with the prevailing landscape character, uses locally appropriate and native species, integrates new buildings in their surroundings, and supports green infrastructure and the Herefordshire Ecological Network. <p>Modern design approaches which take an innovative approach, including to energy efficiency and sustainability, will be welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.</p>	
<p>Policy ME3: Historic environment</p> <p>Development proposals should protect, conserve and where possible enhance the historic environment and heritage assets in the Madley Neighbourhood Area. In considering the impact of proposed development on heritage assets, account will be taken of their significance (including any contribution made by their setting) in accord with the National Planning Policy Framework and Herefordshire Local Plan Core Strategy policy LD4 by:</p> <ol style="list-style-type: none"> 1. giving great weight to conserving designated heritage assets including listed buildings and scheduled ancient monuments in a manner appropriate to their significance, regardless of the scale 	<p>Policy ME3 has had regard to national policy in NPPF chapter 16 which deals with conserving and enhancing the historic environment. It requires heritage assets to be conserved in a manner appropriate to their significance in line with NPPF para. 184.</p> <p>The policy distinguishes between designated and non-designated heritage assets in accord with the national approach. Reference to the NPPF is incorporated within the policy.</p>

NDP policy	Regard to national policies
<p>of harm or loss of significance; and</p> <ol style="list-style-type: none"> 2. for non-designated heritage assets including parks and gardens and archaeological sites, balancing the scale of any harm or loss against their significance; and 3. ensuring that proposals for the redevelopment, alteration or extension of historic farmsteads and agricultural buildings are sensitive to their distinctive character, materials and form. 	
<p>Policy MB1: Madley Airfield</p> <p>Proposals for new development or the re-use of existing buildings at Madley Airfield as shown on Plan 5 for employment uses within Use Classes B1 (Business), B2 (General industrial) or B8 (Storage or distribution) will be supported provided that:</p> <ol style="list-style-type: none"> 1. the amount and type of traffic likely to arise is acceptable in terms of safety and highway capacity; and 2. appropriate opportunities are included to promote sustainable transport modes, bearing in mind the location of the site; and 3. the proposal does not lead to unacceptable adverse impacts on residential amenity or the environment from odour, noise, light, air or water pollution; and 4. the risk from any previous contaminative uses has been shown to be acceptable or as otherwise being capable of satisfactory remediation; and 5. visual amenity and landscape character is respected in building design, choice of colour and associated native-species landscaping. <p>Proposals for non-employment uses will be guided by Herefordshire Local Plan Core Strategy policy E2 and should also have regard to the site's rural location and access limitations.</p>	<p>Policy MB1 has regard to NPPF para. 84 in encouraging the use of a previously-developed site to meet business needs. It provides criteria to ensure development will be sensitive to its surroundings, will not have an unacceptable impact on local roads and will exploit suitable opportunities to improve access on foot, by cycling or by public transport.</p>

NDP policy	Regard to national policies
<p>Policy MB2: Tourism</p> <p>Rural tourism and leisure development proposals will be supported where they:</p> <ol style="list-style-type: none"> 1. are appropriate in scale, design and materials to their location and setting, including landscape character; and 2. provide for access as far as practicable by walking, cycling and public transport; and 3. incorporate adequate car parking for staff and visitors as may be required after maximising the use of sustainable transport modes; and 4. can demonstrate that additional traffic can be safely accommodated on the rural road network, with any adverse impacts appropriately and acceptably mitigated. <p>Proposals of an appropriate scale will be encouraged where they provide local employment and/or serve to sustain, enhance and promote an appreciation of the local natural, historic and cultural environment.</p>	<p>Policy MB2 seeks to support sustainable rural tourism and leisure developments which respect the character of the countryside in line with NPPF para. 83 c). To do this, the policy provides criteria against which the impact of proposals on the rural character of their surroundings can be assessed.</p>
<p>Policy MB3: Re-use of redundant agricultural buildings</p> <p>The re-use of redundant farm buildings for small-scale rural business uses such as workshops, offices, artisan activities, creative industries and live/work units will be supported provided they do not generate unacceptable levels of traffic on the rural road network. Conversion schemes should respond positively to the existing building fabric and the site context. Adequate car parking to meet operational, servicing and customer requirements should be provided on site.</p>	<p>Policy MB3 has regard to NPPF para. 83 a) in promoting the conversion of existing buildings to accommodate a range of businesses appropriate to the Neighbourhood Area.</p>
<p>Policy MB4: Agricultural development</p> <p>Proposals for agricultural development requiring planning</p>	<p>Policy MB4 has had regard to NPPF para. 83 in seeking to enable the development and diversification of agricultural businesses by providing criteria to be applied when planning permission is required.</p>

NDP policy	Regard to national policies
<p>permission, for example intensive livestock units, polytunnels or horticulture, should be able to demonstrate that they meet the following requirements. Any other existing, permitted or proposed similar developments in the locality should be taken into account so that cumulative impacts can be considered:</p> <ol style="list-style-type: none"> 1. the local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and 2. the impacts on landscape character and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and 3. there will be no undue loss of amenity to the occupiers of residential properties, including by way of external lighting or the design and siting of any installation; and 4. there are no unacceptable impacts on the natural and historic environments, in accordance with policies ME1 and ME3; and 5. sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution and soil erosion; and 6. there are no unacceptable impacts on the utility and enjoyment of public rights of way. 	
<p>Policy MSC1: Community facilities</p> <p>Existing community facilities in Madley will be retained in accordance with Herefordshire Local Plan Core Strategy policy SC1. Development proposals for the enhancement of community facilities and for new provision will be supported. Diversification proposals which can be shown to enable or increase the viability of existing and proposed services and facilities will be encouraged. Proposals should take account of the potential for the co-location of services in achieving viability.</p>	<p>Policy MSC1 seeks the retention and development of accessible local services and community facilities, as part of supporting a prosperous rural economy in line with NPPF para. 83 d).</p> <p>It also takes account of NPPF para. 92 which requires planning policies to plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments.</p>

NDP policy	Regard to national policies
<p>Policy MSC2: Open space and recreation</p> <p>Proposals that would result in the loss of open space, sport and recreational land and buildings will not be permitted unless:</p> <ol style="list-style-type: none"> 1. it can be satisfactorily demonstrated that the open space, buildings or land concerned are surplus to requirements, or 2. that the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, taking into account accessibility by foot, cycle and public transport, or 3. the development is for alternative sports or recreational provision, the benefits of which clearly outweigh the loss. 	<p>Policy MSC2 has regard to NPPF para. 97, adding reference to access by sustainable modes of transport in accord with NPPF para. 91 c).</p>
<p>Policy MSC3: Local Green Space</p> <p>The development of the following Local Green Spaces as shown on Plans 4 and 6 will not be permitted unless very special circumstances arise which outweigh the need for protection:</p> <ol style="list-style-type: none"> 1. The Glebe Field, Madley (Plan 4) 2. Kettle Ponds north of Madley village (Plan 4) 3. Madley Moat (Plan 4) 4. The Bower, Shenmore (Plan 6). 	<p>Policy MSC3 provides for the designation of Local Green Space in accord with the provisions of NPPF paras. 99-101. The NDP's vision, objectives and policy M1 make it clear that the designations have been taken into account in, and are consistent with, the local planning of sustainable development, and that they complement investment in jobs, homes and other essential services. All the designations are capable of enduring beyond 2031. The explanatory text to the policy at Table 3 explains how each Local Green Space meets the qualifying criteria set out in NPPF para. 100.</p>
<p>Policy MSC4: Design for flood resilience and resistance</p> <p>Development should be designed to:</p> <ol style="list-style-type: none"> 1. reduce the consequences of flooding and to facilitate recovery from the effects of flooding; and 2. incorporate flood-resistant construction to prevent entry of water or to minimise the amount of water that may enter a building in the event of a flood event. 	<p>Policy MSC4 has regard to NPPF para. 163 b) in setting criteria to ensure that development at risk of flooding is appropriately flood resistant and resilient.</p>

4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

4.1 The making of the Madley NDP will contribute to the achievement of sustainable development.

4.2 The NPPF explains that achieving sustainable development means that the planning system has three overarching objectives:

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.3 The NPPF emphasises that these objectives are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the objectives. The objectives should be delivered through the preparation and implementation of plans and the application of the policies in the Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

4.4 The three objectives are then set out in greater detail in subsequent chapters of the NPPF. Section 3 of this Statement explains how the NDP has had regard to national policy and advice, and thus how it will contribute to the achievement of sustainable development.

4.5 The NDP is also considered to be in general conformity with the Core Strategy (see section 5). This sets out a spatial strategy to achieve the sustainable development of the County based on the three themes of social progress, economic prosperity, and environmental quality. These themes echo the three roles as defined in the NPPF. The NDP will deliver sustainable development by virtue of setting out a balanced set of policies which address each of the strategic themes.

4.6 Policy M1 establishes that the NDP will play an active role in guiding development in the Neighbourhood Area to a sustainable solution. The aim will be to consider how individual proposals contribute to sustainability, assessed across economic, social and environmental objectives, to best deliver the NDP’s vision and objectives. Importantly the policy approach recognises the interdependence of the objectives and the need to take into account the character, needs and opportunities of the Neighbourhood Area. Table 2 sets out how the Plan’s policies will help achieve sustainable development, by contributing to each of the three national objectives.

Table 2: Sustainable development

Sustainable development objective	How the Madley NDP contributes
Economic	The NDP provides positively for development needs and requirements. Provision is made for housing above the minimum strategic requirement, including by site allocation (policy MH1). Employment-generating proposals of an appropriate scale and nature are encouraged by policies MB1 to MB4. These policies recognise the importance of providing support for the rural economy through: new development and the re-use of existing buildings at the Madley Airfield site; tourism and leisure proposals; the re-use of redundant rural buildings; and agricultural development.
Social	The NDP addresses requirements for new housing in policies MH1 to MH5. Through these policies, the minimum strategic housing requirement will be met and exceeded, in a way which ensures that new dwellings are of a type and size that contribute to meeting housing needs. Policy ME2 will help deliver a well-designed and safe built environment. Other policies which deal directly with social and community infrastructure are: community facilities (policy MSC1); open spaces and recreation (policy MSC2); and Local Green Spaces (policy MSC3).
Environmental	The NDP supports housing and other development in Madley village where this is appropriate in scale and in keeping with the established character (policy MH3). The definition of a settlement boundary for Madley in this policy will also serve to promote a sustainable pattern of development. Policy ME2 sets out a range of requirements to deliver sustainable development at the site and building scale. Other policies serve to protect, conserve and enhance the natural and historic environments (policies ME1 and ME3). Climate change is addressed by policy MSC4 and elements of policy ME2.

5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Madley NDP is in general conformity with the strategic policies contained in the development plan for the area, namely the Herefordshire Local Plan Core Strategy. Herefordshire Council has generally confirmed this position in its consultation response to the draft Plan. Two policies are identified by the Council as being partially in general conformity (MH4 and MH5), and one is identified as being not in general conformity (ME3). The matters raised in respect of each policy are addressed below. Table 3 sets out how each of the NDP's policies align with the strategic policies. The Core Strategy can be seen at https://www.herefordshire.gov.uk/info/200185/local_plan/137/local_plan_-_core_strategy/2.
- 5.2 Remaining saved policies of the Herefordshire Unitary Development Plan are not relevant to the NDP.

Table 3: General conformity of NDP policies with strategic policies.

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>Policy M1: Sustainable development</p> <p>Development proposals which contribute to the sustainable development of the Madley Neighbourhood Area will be supported. In making this assessment, the following objectives will be sought and balanced, as relevant to the proposal:</p> <ol style="list-style-type: none"> 1. meeting strategic requirements for new housing and the needs of the local community; 2. taking all opportunities to conserve and enhance the distinctive natural and historic environment, with development avoiding undue loss of visual amenity or impacts on landscape character and biodiversity; 3. providing new and diversified employment opportunities which are compatible and in scale with the rural nature of the area; 4. retaining and enhancing social and community infrastructure, and promoting and enabling new provision, to meet a range of needs and promote quality of life; 5. fostering sustainable transport provision and making use of 	<p>Policy M1 is in general conformity with strategic policy SS1 <i>Presumption in favour of sustainable development</i>, and supports SS4 <i>Movement and transportation</i>, adding local detail as to the social, economic and environmental dimensions of sustainable development within the Neighbourhood Area.</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>opportunities to provide or support the provision of new or improved public transport, walking and cycling infrastructure and connectivity.</p>	
<p>Policy MH1: Housing delivery</p> <p>New dwellings will be delivered in the Madley Neighbourhood Area to meet local needs and to satisfy the minimum requirements of the Herefordshire Local Plan Core Strategy. This is enabled and demonstrated by:</p> <ol style="list-style-type: none"> 1. allocating land west of Archenfield, Madley, for housing; and 2. defining a settlement boundary to show the planned extent of development of Madley; and 3. supporting windfall housing proposals inside the Madley settlement boundary provided that planning requirements are met; and 4. acknowledging the potential for windfall housing development in the wider countryside outside Madley where this meets the requirements of Herefordshire Local Plan Core Strategy policy RA3 and allied policies. 	<p>Policy MH1 is in general conformity with strategic policies SS2 <i>Delivering new homes</i> and RA2 <i>Housing in settlements outside Hereford and the market towns</i>, and supports RA3 <i>Herefordshire's countryside</i>, RA4 <i>Agricultural, forestry and rural enterprise dwellings</i> and RA5 <i>Re-use of rural buildings</i>. It adds local detail by setting out how the strategic requirement for new housing will be met in the Neighbourhood Area.</p>
<p>Policy MH2: Land west of Archenfield, Madley</p> <p>Land west of Archenfield, Madley is allocated for development for around 22 new dwellings. The site is shown on Plan 4. Proposals which meet the following site-specific requirements will be supported:</p> <ol style="list-style-type: none"> 1. dwellings are provided which contribute to meeting the latest assessment of housing needs including house type and size in accordance with policy MH4; and 2. 35% of the dwellings are provided as affordable housing available in perpetuity for those in local housing need; and 3. the scheme is designed by applying the principles of good 	<p>Policy MH2 is in general conformity with strategic policies SS1 <i>Presumption in favour of sustainable development</i> and RA2 <i>Housing in settlements outside Hereford and the market towns</i>. It also supports H3 <i>Ensuring an appropriate range and mix of housing</i>. It adds local detail by allocating a site for new housing and setting out planning requirements.</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>placemaking and design guidance set out in the Madley Housing Manual and having regard to the essential qualities of the village; and</p> <p>4. the built frontages to the B4352 and to Forty Farm Road are designed to provide a new distinctive village edge, retaining existing hedges and the mature tree at the site's north-eastern corner; and</p> <p>5. vehicular access is taken from Forty Farm Road to the B4352; and</p> <p>6. safe, direct and convenient pedestrian routes are provided along its northern and eastern boundaries and within the site, and which connect to the existing network of footpaths in the village including to the east along the B4352 and to Madley Footpath 52; and</p> <p>7. areas of open space landscaped with native species planting are provided including along the boundary between the site with existing housing to the east and in the site. Existing planting on the eastern boundary is to be retained and strengthened.</p>	
<p>Policy MH3: Madley settlement boundary</p> <p>A settlement boundary for Madley is defined and is shown on Plan 4. Proposals for housing within the settlement boundary will be supported where they respect the character of the settlement having regard to the Madley Housing Manual, are in accord with policy ME2 on building design and can be shown to be of a size and type to meet local requirements in line with policy MH4.</p>	<p>Policy MH2 is in general conformity with strategic policies SS1 <i>Presumption in favour of sustainable development</i> and RA2 <i>Housing in settlements outside Hereford and the market towns</i>. It adds local detail by defining a settlement boundary for Madley and setting out criteria for development in the village.</p>
<p>Policy MH4: Type and size of housing</p> <p>In all cases, housing proposals should be able to demonstrate that they are of a type and size that positively contribute to meeting the latest assessment of housing needs, particularly for smaller properties.</p>	<p>Herefordshire Council's consultation response on the draft NDP indicates this policy is partially not in general conformity because it may not be realistically enforceable. This has been responded to in the Consultation Statement response log as follows:</p> <p><i>Policy MH4, Type and size of housing: only a limited amount of</i></p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>Development proposals which provide housing of a suitable size, tenure and style to meet local needs will be supported. In particular, smaller 2- or 3-bedroom property will be encouraged, as well as schemes designed to meet the needs of older people, first-time buyers and young families.</p> <p>Where a site includes a mix of affordable and open market housing, the affordable units should be distributed across the site and be designed to be indistinguishable from the open market units.</p> <p>Proposals that seek to concentrate different types and tenures of homes in separate groups on a site will not be supported.</p>	<p><i>residential development is expected to come forward in the Neighbourhood Area over the plan period. In this context it is felt all the more important that such schemes do show that they make a contribution to housing needs. The Issues and Options consultation points to a requirement for smaller homes which are affordable to families, and this is echoed by data quoted in NDP Table 2 from the Local Housing Market Assessment. It is appropriate that policy provision for this is made in order to highlight the nature of local housing needs, to be addressed wherever possible.</i></p> <p>On this basis, policy MH4 is considered to be in general conformity with strategic policies SS2 <i>Delivering new homes</i>, H1 <i>Affordable housing</i>, H2 <i>Rural exception sites</i> and H3 <i>Ensuring an appropriate range and mix of housing</i>. It adds local detail by setting out the size, tenure and style of housing that is required to meet needs in the Neighbourhood Area.</p>
<p>Policy MH5: Housing in the wider countryside</p> <p>Proposals for new housing in the countryside which accord with Herefordshire Local Plan Core Strategy policy RA3 will be supported where buildings:</p> <ol style="list-style-type: none"> 1. are sited and designed to protect local landscape character and the dark skies; and 2. are sited on poorer quality agricultural land in preference to land of higher quality. 	<p>Herefordshire Council's consultation response on the draft NDP indicates this policy is partially not in general conformity because it contains a criterion not in accord with policy RA3. It is agreed that the requirement concerned is superfluous; it has been deleted from the submission version of the policy shown here.</p> <p>On this basis, policy MH5 is considered to be in general conformity with strategic policy RA3 <i>Herefordshire's countryside</i>.</p>
<p>Policy ME1: Landscape character and wildlife</p> <p>Development proposals should protect, conserve and where possible enhance the natural environment of Madley Neighbourhood Area in accordance with the principles in Herefordshire Local Plan Core Strategy policies SD3, SD4, LD1, LD2 and LD3 by:</p>	<p>Policy ME1 is in general conformity with strategic policies SS6 <i>Environmental quality and local distinctiveness</i>, LD1 <i>Landscape and townscape</i>, LD2 <i>Biodiversity and geodiversity</i>, LD3 <i>Green infrastructure</i>, SD3 <i>Sustainable water management and water resources</i> and SD4 <i>Wastewater treatment and river water quality</i>. It adds local detail by identifying natural environmental assets in the</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<ol style="list-style-type: none"> 1. avoiding likely harm to the River Wye Special Area of Conservation and to species of European importance; and 2. avoiding likely harm to Sites of Special Scientific Interest unless the benefits of the proposed development clearly outweigh the likely impacts on the conservation status of the Site concerned and on the national network of protected Sites; and 3. respecting the prevailing landscape character, as defined in the County Landscape Character Assessment; and 4. promoting the conservation, restoration and enhancement of other sites and features of landscape value and biodiversity interest in accordance with their status, including those identified in the Priority Habitats Inventory, Local Wildlife Sites, irreplaceable habitats such as ancient woodland and veteran trees, hedgerows, kettle ponds, other ponds, Madley Moat and watercourses; and 5. maintaining, restoring and where possible enhancing the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network, and taking into account their role as green infrastructure. 	<p>Neighbourhood Area.</p>
<p>Policy ME2: Building design</p> <p>Development proposals should maintain and enhance the local distinctiveness of the Madley Neighbourhood Area and achieve a high quality of sustainable design by:</p> <ol style="list-style-type: none"> 1. following the principles of good placemaking and design guidance set out in the Madley Housing Manual and having regard to the essential qualities of the village. Proposals in the rural area outside Madley village should also apply the Manual as relevant to the scheme and also positively respond to the character of the surrounding landscape. A Design and Access Statement or similar should be provided to show how these requirements have been addressed; and 	<p>Policy ME2 is in general conformity with strategic policies SS1 <i>Presumption in favour of sustainable development</i>, SS6 <i>Environmental quality and local distinctiveness</i>, SS7 <i>Addressing climate change</i>, MT1 <i>Traffic management, highway safety and promoting active travel</i>, LD1 <i>Landscape and townscape</i>, LD2 <i>Biodiversity and geodiversity</i>, SD1 <i>Sustainable design and energy efficiency</i>, SD2 <i>Renewable and low carbon energy generation</i> and SD3 <i>Sustainable water management and water resources</i>. It adds local detail by reflecting issues of concern, such as in respect of light pollution and dark skies, and incorporates reference to the Madley Housing Manual.</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>2. incorporating sustainability measures to include building orientation and design, energy and water conservation, sustainable construction methods and materials, the generation of renewable energy, and provision for the recycling of waste, cycle storage, communications and broadband technologies. All new housing should achieve the highest standards of energy conservation, being ideally carbon neutral whilst as a minimum complying with Building Regulations; and</p> <p>3. being capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated. The arrangements for access should include provisions for pedestrians and cyclists to encourage active travel wherever practicable; and</p> <p>4. avoiding creating unacceptable impacts on residential amenity and the tranquillity of the countryside from noise, volume and nature of traffic generated, dust or odour. External lighting should avoid undue adverse impacts on amenity, wildlife and dark skies; and</p> <p>5. in the case of proposals for new housing, be sited and designed to avoid adverse impacts on the amenity of the future occupants from the operation of existing uses, including agricultural and business operations; and</p> <p>6. retaining and incorporating existing site features of amenity and biodiversity value, such as mature trees, ponds and hedgerows, and incorporate new provision for wildlife; and</p> <p>7. providing for new landscaping which is in keeping with the prevailing landscape character, uses locally appropriate and native species, integrates new buildings in their surroundings, and supports green infrastructure and the Herefordshire Ecological Network.</p> <p>Modern design approaches which take an innovative approach, including to energy efficiency and sustainability, will be welcomed where they make a positive contribution to the character of the area</p>	

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
and contribute to local distinctiveness.	
<p>Policy ME3: Historic environment</p> <p>Development proposals should protect, conserve and where possible enhance the historic environment and heritage assets in the Madley Neighbourhood Area. In considering the impact of proposed development on heritage assets, account will be taken of their significance (including any contribution made by their setting) in accord with the National Planning Policy Framework and Herefordshire Local Plan Core Strategy policy LD4 by:</p> <ol style="list-style-type: none"> 1. giving great weight to conserving designated heritage assets including listed buildings and scheduled ancient monuments in a manner appropriate to their significance, regardless of the scale of harm or loss of significance; and 2. for non-designated heritage assets including parks and gardens and archaeological sites, balancing the scale of any harm or loss against their significance; and 3. ensuring that proposals for the redevelopment, alteration or extension of historic farmsteads and agricultural buildings are sensitive to their distinctive character, materials and form. 	<p>Herefordshire Council’s consultation response on the draft NDP indicates this policy is not in general conformity because it conflicts with strategic policy LD4. This has been responded to in the Consultation Statement response log as follows:</p> <p><i>Policy ME3, Historic environment: criterion 1 reflects the terms of NPPF para. 193 which in this form post-dates the adoption of the LPCS in October 2015. Unlike policy LD4, policy ME3 reflects the current NPPF in distinguishing between designated and non-designated heritage assets in criteria 1 and 2, where it is clear that heritage assets are to be conserved in a manner appropriate to their significance. However, an amendment is made to address the concern regarding general conformity.</i></p> <p>With this amendment (incorporated within the submission version of the policy shown here) policy ME3 is considered to be in general conformity with strategic policies SS6 <i>Environmental quality and local distinctiveness</i> and LD4 <i>Historic environment and heritage assets</i>.</p>
<p>Policy MB1: Madley Airfield</p> <p>Proposals for new development or the re-use of existing buildings at Madley Airfield as shown on Plan 5 for employment uses within Use Classes B1 (Business), B2 (General industrial) or B8 (Storage or distribution) will be supported provided that:</p> <ol style="list-style-type: none"> 1. the amount and type of traffic likely to arise is acceptable in terms of safety and highway capacity; and 2. appropriate opportunities are included to promote sustainable transport modes, bearing in mind the location of the site; and 3. the proposal does not lead to unacceptable adverse impacts on 	<p>Policy MB1 is in general conformity with strategic policies SS5 <i>Employment provision</i>, E1 <i>Employment provision</i>, E2 <i>Redevelopment of existing employment land and buildings</i>, and RA6 <i>Rural economy</i>. It adds local detail in respect of the type of employment that will be supported on the Madley Airfield site and the criteria to be met.</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>residential amenity or the environment from odour, noise, light, air or water pollution; and</p> <ol style="list-style-type: none"> 4. the risk from any previous contaminative uses has been shown to be acceptable or as otherwise being capable of satisfactory remediation; and 5. visual amenity and landscape character is respected in building design, choice of colour and associated native-species landscaping. <p>Proposals for non-employment uses will be guided by Herefordshire Local Plan Core Strategy policy E2 and should also have regard to the site's rural location and access limitations.</p>	
<p>Policy MB2: Tourism</p> <p>Rural tourism and leisure development proposals will be supported where they:</p> <ol style="list-style-type: none"> 1. are appropriate in scale, design and materials to their location and setting, including landscape character; and 2. provide for access as far as practicable by walking, cycling and public transport; and 3. incorporate adequate car parking for staff and visitors as may be required after maximising the use of sustainable transport modes; and 4. can demonstrate that additional traffic can be safely accommodated on the rural road network, with any adverse impacts appropriately and acceptably mitigated. <p>Proposals of an appropriate scale will be encouraged where they provide local employment and/or serve to sustain, enhance and promote an appreciation of the local natural, historic and cultural environment.</p>	<p>Policy MB2 is in general conformity with strategic policies SS5 <i>Employment provision</i>, E4 <i>Tourism</i> and RA6 <i>Rural economy</i>. It adds local detail in respect of the criteria to be met by rural tourism and leisure proposals.</p>
<p>Policy MB3: Re-use of redundant agricultural buildings</p>	<p>Policy MB3 is in general conformity with strategic policies SS5 <i>Employment provision</i> and RA5 <i>Re-use of rural buildings</i>. It adds local</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
<p>The re-use of redundant farm buildings for small-scale rural business uses such as workshops, offices, artisan activities, creative industries and live/work units will be supported provided they do not generate unacceptable levels of traffic on the rural road network. Conversion schemes should respond positively to the existing building fabric and the site context. Adequate car parking to meet operational, servicing and customer requirements should be provided on site.</p>	<p>detail by providing guidance on the re-use of rural buildings for business purposes.</p>
<p>Policy MB4: Agricultural development</p> <p>Proposals for agricultural development requiring planning permission, for example intensive livestock units, polytunnels or horticulture, should be able to demonstrate that they meet the following requirements. Any other existing, permitted or proposed similar developments in the locality should be taken into account so that cumulative impacts can be considered:</p> <ol style="list-style-type: none"> 1. the local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and 2. the impacts on landscape character and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and 3. there will be no undue loss of amenity to the occupiers of residential properties, including by way of external lighting or the design and siting of any installation; and 4. there are no unacceptable impacts on the natural and historic environments, in accordance with policies ME1 and ME3; and 5. sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution and soil erosion; and 6. there are no unacceptable impacts on the utility and enjoyment 	<p>Policy MB4 is in general conformity with strategic policy RA6 <i>Rural economy</i>.</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
of public rights of way.	
<p>Policy MSC1: Community facilities</p> <p>Existing community facilities in Madley will be retained in accordance with Herefordshire Local Plan Core Strategy policy SC1. Development proposals for the enhancement of community facilities and for new provision will be supported. Diversification proposals which can be shown to enable or increase the viability of existing and proposed services and facilities will be encouraged. Proposals should take account of the potential for the co-location of services in achieving viability.</p>	<p>Policy MSC1 is in general conformity with and adds local detail to strategic policy SC1 <i>Social and community facilities</i>.</p>
<p>Policy MSC2: Open space and recreation</p> <p>Proposals that would result in the loss of open space, sport and recreational land and buildings will not be permitted unless:</p> <ol style="list-style-type: none"> 1. it can be satisfactorily demonstrated that the open space, buildings or land concerned are surplus to requirements, or 2. that the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, taking into account accessibility by foot, cycle and public transport, or 3. the development is for alternative sports or recreational provision, the benefits of which clearly outweigh the loss. 	<p>Policy MSC2 is in general conformity with strategic policies SS6 <i>Environmental quality and local distinctiveness</i>, OS1 <i>Requirement for open space, sports and recreation facilities</i>, OS2 <i>Meeting open space, sports and recreation needs</i>, and OS3 <i>Loss of open space, sports or recreation facilities</i>.</p>
<p>Policy MSC3: Local Green Space</p> <p>The development of the following Local Green Spaces as shown on Plans 4 and 6 will not be permitted unless very special circumstances arise which outweigh the need for protection:</p> <ol style="list-style-type: none"> 1. The Glebe Field, Madley (Plan 4) 2. Kettle Ponds north of Madley village (Plan 4) 3. Madley Moat (Plan 4) 	<p>Policy MSC3 is in general conformity with strategic policy OS3 <i>Loss of open space, sports or recreation facilities</i>. It adds local detail by identifying areas for designation as Local Green Space.</p>

NDP policy	General conformity with Herefordshire Local Plan Core Strategy
4. The Bower, Shenmore (Plan 6).	
<p>Policy MSC4: Design for flood resilience and resistance</p> <p>Development should be designed to:</p> <ol style="list-style-type: none"> 1. reduce the consequences of flooding and to facilitate recovery from the effects of flooding; and 2. incorporate flood-resistant construction to prevent entry of water or to minimise the amount of water that may enter a building in the event of a flood event. 	<p>Policy MSC4 is in general conformity with strategic policy SD3 <i>Sustainable water management and water resources</i>.</p>

6. EU OBLIGATIONS

6.1 The Madley NDP is compatible with European Union obligations as detailed in Table 4 and as transposed into UK law.

Table 4: EU obligations

EU Obligation	Compatibility of the Madley NDP
Strategic Environmental Assessment (SEA) Directive	<p>Strategic environmental assessment of the Madley NDP has been undertaken by Herefordshire Council. An initial screening opinion in March 2015 concluded that the NDP would require further assessment for the purposes of Strategic Environmental Assessment. A Scoping Report was prepared in September 2016 and published for consultation. Subsequently, an SEA of the draft Plan was undertaken in July 2019 and the resultant Environmental Report was published for consultation alongside the draft Plan.</p> <p>The Environmental Report concludes that the NDP is in general conformity with both national planning policy contained in the NPPF and strategic policies set within the Herefordshire Local Plan (Core Strategy). None of the NDP policies were 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. The cumulative effect of the NDP policies will contribute to the SEA objectives.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Environmental Report (November 2019), which shows that the original conclusions were unaffected by the refinements.</p> <p>The NDP has been prepared in conjunction with a formal process of environmental appraisal in accordance with the SEA Directive, whose requirements are considered to have been met.</p>
Habitats Directive	<p>A process of assessment of the Madley NDP pursuant to the Habitats Directive has been undertaken by Herefordshire Council. Initial screening in March 2015 found that the Neighbourhood Area was within the hydrological catchment of the River Wye (including River Lugg) Special Area of Conservation (SAC). The initial screening concluded that the River Wye SAC would need to be taken into account in the NDP and that a full Habitats Regulation</p>

EU Obligation	Compatibility of the Madley NDP
	<p>Assessment would be required.</p> <p>A Screening Assessment of the draft NDP was undertaken by Herefordshire Council and published in July 2019. This concluded that the draft NDP will not have a likely significant effect on the River Wye SAC, either on its own or in-combination with other neighbouring NDPs.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Report in November 2019. The Report concludes that the earlier conclusion that the NDP will not have a likely significant effect on the River Wye SAC remains valid for the submission version.</p> <p>The NDP has been prepared in conjunction with a formal screening process in accordance with the Habitats Directive, whose requirements are considered to have been met.</p>
Water Framework Directive	<p>The Local Plan Core Strategy (policies SD3 and SD4) requires that development proposals are considered against Water Framework Directive objectives, including that development should not undermine the achievement of water quality targets. These strategic policies are referenced within the NDP in justification to policy ME1. The Water Framework Directive has been taken into account within the objectives used for the SEA of the NDP and as a source of baseline information and targets.</p> <p>The NDP is considered to be compatible with the Water Framework Directive.</p>
Human Rights	<p>The NDP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and County-level strategic planning policies. In accordance with established process, its preparation has included consultation with the local community and it is subject to independent examination. The policies within the Plan are considered to comply with the requirements of EU obligations in relation to Human Rights.</p>