

Economy, Communities and Corporate Directorate

Director: Geoff Hughes

Mr Robert Cook,
The Planning Inspectorate
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2 The Square
Bristol
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Your Ref: APP/W1850/W/15/3009456

Our Ref: 143116

Please ask for: Mr A Banks

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22 October 2015

Dear Mr Cook,

TOWN AND COUNTRY PLANNING ACT 1990**SITE:** Land to the South of Leadon Way, Ledbury, Herefordshire

DESCRIPTION: Proposed outline planning permission for the erection of up to 321 residential dwellings (including up to 35% affordable housing, structural planting and landscaping, informal public open space, children's play area, surface water attenuation, vehicular access point from Leadon Way and associated ancillary works. All matters reserved with the exception of the main site access.

APPEAL NO: 143116/O**PLANNING INSPECTORATE REFERENCE:** APP/W1850/W/15/3009456

I refer to your letter dated 20th October, sent in the light of the Council's adoption of the Herefordshire Local Plan – Core Strategy on Friday 16th October 2015.

I can confirm that the Core Strategy was adopted at a meeting of Full Council on 16th October and it now constitutes the Development Plan for the County until 2031.

Housing Land Supply

As will be clear from the Council's Statement of Case the decision to refuse was taken in the context that the housing supply policies of the then adopted Herefordshire Unitary Development Plan were out of date. This was on the basis that the Council could not demonstrate a supply of housing land with requisite buffer.

The Inspector's report into the Core Strategy has subsequently confirmed that on the basis of the evidence presented during the Examination in Public (February 2015) the Council can demonstrate a five year supply of housing land. A revised Annual Monitoring Report giving the position at April 2015 is anticipated shortly.

Core Strategy Policy SS1 Sustainable development sets out the presumption in favour of sustainable development.

The Core Strategy approach to the delivery of housing across Herefordshire is set out in **Policy SS2 Delivering new homes**. This underscores that Hereford will be the focus for new homes, with the market towns, which includes Ledbury, in the tier below. In the rural areas new housing will be acceptable within identified settlements 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.

CS Policy SS3 Ensuring sufficient housing land delivery reinforces the importance of ensuring a plan-led supply of housing land by setting out a range of measures that the Council will have to undertake should there be any material delay in delivering housing on the strategic allocations.

In combination the above-mentioned policies replace UDP Policy S3.

Policy SS6 Environmental quality and local distinctiveness replaces UDP Policy S7.

Policy RA1 Rural housing distribution identifies the distribution of the requisite 5,300 dwellings across the Housing Market Areas (HMA) and the appropriate settlements identified therein and illustrated at Figures 4.14 and 4.15. In the Ledbury Rural Housing Market Area the minimum proportionate growth target is 14%, which translates to 565 dwellings across this specific HMA.

Policy RA2 Housing in settlements outside Hereford and the market towns confirms that Neighbourhood Development Plans will, upon adoption, allocate sites for housing. In the period leading up to the definition of appropriate settlement boundaries the Council will assess any applications for residential developments in Figure 4.14 and 4.15 against their relationship to the main built up form of the settlement.

As can be seen from the foregoing, the CS contains a number of policies relevant to the supply of housing and illustrates those policies relevant to the supply of housing under the newly adopted Core Strategy from this point forward.

Having considered policies relevant to the supply of housing, this letter will now turn to examine the UDP policies specifically referred to in the Reasons for Refusal and will identify the equivalent CS Policies.

Refusal Reason 1

Refusal Reason 1 cites the then 'saved' UDP Policies LA2, LA3 and LA5. The Council has previously stated in its Statement of Case that it will not be relying on LA5. UDP Policies LA2 and LA3 are replaced by CS Policies SS6 and LD1.

Refusal Reason 2

Refusal Reason 2 cites the then 'saved' UDP Policy S1. This is replaced by CS Policies SS1 and SS7.

Refusal Reason 3

Refusal Reason 3 does not refer to UDP Policies but relies on CS Policy LB2.

Refusal Reason 4

Refusal Reason 4 cites the then 'saved' UDP Policy DR5. This is replaced by CS Policy ID1.

As requested the relevant extract from CS Policies is appended, alongside an extract from Appendix 1 from the CS; the table setting out the UDP Policies with title and their equivalent CS Policies.

Yours faithfully,



MR A BANKS
PRINCIPAL PLANNING OFFICER

3.0 Vision, Objectives and the Spatial Strategy

3.1 The Core Strategy sets out a spatial strategy for Herefordshire for the period up to 2031. This is quite different to the land use planning approach of the previous development plan (Unitary Development Plan 2007). It includes:

- a definition of what sustainable development means for Herefordshire;
- a vision for Herefordshire towards the end of the plan period;
- a set of objectives to deliver the vision;
- a spatial strategy that addresses the different needs and opportunities of different parts of Herefordshire; and
- details of how the Core Strategy proposals will be monitored.

3.2 The council's strategy is based on targeting future development in places where specific needs and opportunities have been identified, thereby addressing key issues raised in the Herefordshire Context section. This approach seeks to accommodate economic and population growth with new housing and supporting infrastructure, whilst protecting and enhancing the attractive and distinctive character of the different areas of the county, so that sustainable development is achieved.

Sustainable development

3.3 Sustainable development is about meeting the needs of the present without compromising the ability of future generations to meet their own needs. The Government has set three aims for sustainable development:

- contributing to building a strong, competitive and responsive economy;
- supporting strong, vibrant and healthy communities; and
- continuing to protect and enhance our natural, historic and built environment.

3.4 At the heart of the Government's policy in the National Planning Policy Framework March, 2012 is a presumption in favour of sustainable development. The council intends to achieve this presumption in accordance with the following policy:

Policy SS1 – Presumption in favour of sustainable development

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.

Planning applications that accord with the policies in this Core Strategy (and, where relevant with policies in other Development Plan Documents and Neighbourhood Development Plans) will be approved, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the council will grant permission unless material considerations indicate otherwise - taking into account whether:

- a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in national policy taken as a whole; or
- b) specific elements of national policy indicate that development should be restricted.

Policy SS2 - Delivering new homes

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.

Hereford is the focus for new housing development to support its role as the main centre in the county. Outside Hereford, the main focus for new housing development will take place in the market towns of Bromyard, Kington, Ledbury, Leominster and Ross on Wye, on existing or new allocations to enhance their roles as multi-functional centres for their surrounding rural areas. In the rural areas new housing development will be acceptable where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community. In the wider rural areas new housing will be carefully controlled reflecting the need to recognise the intrinsic character and beauty of the countryside.

The use of previously developed land in sustainable locations will be encouraged. Residential density will be determined by local character and good quality design. The target net density across the county is between 30 and 50 dwellings per hectare, although this may be less in sensitive areas.

The broad distribution of new dwellings in the county will be a minimum of:

Place	Facilities	New homes
Hereford	Wide range of services and main focus for development	6,500
Other urban areas – Bromyard, Kington, Ledbury, Leominster, Ross on Wye	Range of services and reasonable transport provision – opportunities to strengthen role in meeting requirements of surrounding communities	4,700
Rural Settlements – see list in Place - Shaping section	More limited range of services and some limited development potential but numerous locations	5,300
Total		16,500

Providing high quality homes

3.25 The Core Strategy housing provision requirement in Policy SS2 is based on the recommendations of the independent research from the *Local Housing Requirements Studies (2011, 2012 and 2014)*. These reports provided evidence-based guidance on the future level of housing needed in the light of changing economic and social trends. The provision of 16,500 homes over the period 2011 to 2031 will meet the objectively assessed need for the county set out in the 2014 study.

3.26 In 2011 Herefordshire had an estimated population of 183,600. The population grew by almost 5% in the period 2001-2011. However, the population structure has an above average proportion aged over 50 and a particularly low proportion aged 15-34, relative to the regional and national picture. Over the last 30 years, the proportion of the population aged over 34 has been increasing, whilst the numbers aged 15-34 has been declining. Population growth has been driven by growth in the number of people aged over 35. Looking at the components of population change 1999-2009, the death rate has generally exceeded the birth rate by an average of 240 persons per year resulting in natural decrease. This has been countered by net in-migration which averaged over 900 per annum and which has

affordable, low cost market and open market housing. The council will encourage and support this type of development where the proposals are in line with the relevant policies of the Core Strategy and neighbourhood plans. Specific sites may be allocated for this type of development in Area and Neighbourhood Development Plans where a demand for this type of development has been demonstrated.

Housing trajectory

3.39 In respect of the housing target for Herefordshire the expectation is that the highest rate of housing completions will be towards the latter end of the plan period.

3.40 Overall the delivery of the housing levels and distribution proposed in the Core Strategy is dependent upon necessary infrastructure being funded and delivered. A detailed trajectory is set out in Appendix 4. The delivery of housing will be monitored throughout the plan period and may need further re-adjustment and added detail to reflect progress on the delivery of the strategic housing sites and key elements of infrastructure.

Policy SS3 -Ensuring sufficient housing land delivery

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

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

A range of strategic housing proposals are identified which are key to the delivery of the spatial strategy. In addition there are elements of key infrastructure which will need to be provided to enable full delivery of the strategic housing targets. The Council will work with developers and other stakeholders to ensure the timely development of these strategic proposals and the key infrastructure requirements.

Appendix 5 sets out the relationships between the delivery of housing and the timing of the main infrastructure requirements. It also identifies actions necessary to safeguard the integrity of the River Wye Special Area of Conservation (SAC) from adverse effects. The Council will actively monitor the relationships identified in this appendix. Any material delays in the implementation of identified infrastructure or environmental safeguards and which will lead to under-delivery of housing supply will inform the implementation of the range of measures set out above to ensure plan-led corrective measures are put in place

3.41 The delivery and supply of new housing will be monitored on a regular basis and through the annual monitoring process in particular. Appendix 4 sets out an indicative trajectory for total housing completions, which will provide a basis for monitoring completions over the plan period. In the event that the monitoring process demonstrates that the rate of completions have fallen below targets, an early assessment will be made as to the most appropriate mechanism to boost housing delivery depending upon the scale and nature of the issue. The stepped target of 600 dpa for the first five years of the plan (2011-2016), 850 dpa for years 6-10 (2016-2021), 900 dpa for years 11-15 (2021-2026) and 950 dpa for years 16-20 (2026-2031) would be the basis for monitoring and assessing land supply (including

3.92 The range of environmental factors is considerable and high quality assets extend throughout the county. Balancing the provision of necessary development requirements within such circumstances often requires a rigorous approach to determining the most appropriate option in terms of minimising adverse environmental effects. As a consequence, developers need to work with the council and local communities to assess environmental factors in an integrated manner, with appropriate information informing decisions from the outset and with mitigation and compensatory measures being advanced where necessary. In addition, where opportunities exist to improve environmental quality, these should be pursued.

3.93 In undertaking assessments, the values attached to local distinctiveness by communities can include social and economic perceptions as well as environmental characteristics. Where produced, local guidance should inform the design process. A series of documents exist that provide planning guidance and advice on biodiversity, archaeology and landscape character. Management plans have been prepared for both Areas of Outstanding Natural Beauty within the county and conservation objectives set for sites of international and national biodiversity interest.

3.94 The scale of development within the Core Strategy cannot be met solely through re-using previously developed land and buildings. Accordingly, greenfield sites will be developed during the plan period but the spatial strategy will continue to direct development to the most sustainable locations. Development proposals will be expected to avoid detrimental impact to designations and locally distinctive assets. Where evidence identifies potential impact, development proposals will be required to include mitigation measures appropriate in size, scale and effectiveness. Where the nature of individual assets is site specific, off-site compensation will only be considered in exceptional cases.

Policy SS6 – Environmental quality and local distinctiveness

Development proposals should conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county's residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:

- landscape, townscape and local distinctiveness, especially in Areas of Outstanding Natural Beauty;
- biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest;
- historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings;
- the network of green infrastructure;
- local amenity, including light pollution, air quality and tranquillity;
- agricultural and food productivity;
- physical resources, including minerals, soils, management of waste, the water environment, renewable energy and energy conservation.

The management plans and conservation objectives of the county's international and nationally important features and areas will be material to the determination of future development proposals. Furthermore assessments of local features, areas and sites, defining local distinctiveness in other development plan documents, neighbourhood

4.8 Herefordshire's Rural Areas

4.8.1 The council's strategy for the rural areas outside Hereford and the market towns recognises the many challenges in securing their long term future in a sustainable manner. The concept of sustainability is based upon a range of social, economic and environmental factors which includes the presence of employment, market and affordable housing, facilities and services, access to sustainable transport, as well as factors such as social fabric reflecting community cohesion, interdependence and commitment.

4.8.2 Sustainable development is about positive growth. Improved sustainability is central to achieving a strong living and working rural Herefordshire and meeting objectives 1, 5, 8, 8a, 10 and 12 of the Core Strategy.

4.8.3 To achieve this aim, the rural policies seek to enhance the role the county's rural areas have traditionally played as accessible, sustainable centres for their rural catchments. Therefore the positive growth of settlements through the development of appropriate rural businesses and housing, including affordable housing, that contributes towards their maintenance and strengthening will be supported.

A housing strategy for Rural Areas based on Housing Market Areas (HMAs)

4.8.4 Within this large, predominantly rural county, different areas of Herefordshire have their own identities shaped by a variety of factors and affinities that have evolved through time. A significant aspect of this particular local character is the settlement pattern. As the pattern of rural settlements varies, a more localised approach to the rural areas has been developed for the Core Strategy.

4.8.5 The approach adopted builds upon work undertaken on Housing Market Areas (HMAs) through the *Strategic Housing Market Assessment 2008*, *Herefordshire Local Housing Market Assessment 2013* and *Local Housing Requirement Study 2012*. These assessments of Herefordshire's housing market have identified that there are spatial variations. The county can be divided into seven areas based upon common housing market characteristics including tenure, house type profile, incomes and affordability, and house prices. It also reflects geographical proximity, patterns of household movement (migration) and travel to work patterns. The seven Housing Market Areas of Herefordshire are illustrated in Figure 4.13.

4.8.6 The rural area of each HMA has differing future housing needs and requirements. The approach adopted in this plan sets out to respond to these needs and requirements in a flexible and responsive way. Together with the roll out of the neighbourhood planning agenda, this strategy will empower communities to evolve as sustainable places whilst respecting their fundamental rural character.

4.8.7 Herefordshire's seven HMAs are broadly focused on Hereford and the market towns (except for the Golden Valley) and utilise ward boundaries. The term 'rural HMAs' refers only to the rural parts of the defined HMAs.

Figure 4.13: The Housing Market Areas of Herefordshire



Housing Market Areas



Not to Scale

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4.8.8 Housing development in rural areas will be delivered through Neighbourhood Development Plans, any required Rural Areas Site Allocations Development Plan Document and a combination of existing commitments and windfall development. . The council's

Strategic Housing Land Availability Assessment indicates there is potential for the level of development proposed in this policy.

4.8.9 Past rates of housing completions in the rural areas suggest that this level of growth is appropriate and achievable. Historically it is evident that much rural housing has come forward on small sites, often for individual dwellings, being allowed through the application of planning policy rather than the allocation of housing sites. Additionally, significant numbers of new housing continues to be delivered through the conversion of rural buildings, many being redundant agricultural buildings on farmsteads. Paragraph 48 of NPPF indicates that an allowance may be made for windfall if there is compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source. There is clear evidence over many years that such sites have delivered an important element of the county's housing supply and as such a modest windfall allowance for rural areas has been included of 1000 dwellings (50 per annum).

4.8.10 The minimum rural HMA target represents a level of growth for parishes, as a percentage and which is proportionate to existing HMA characteristics.

4.8.11 The *Rural Housing Background Paper* (March 2013) sets out in its Appendix 2 the assessment of each rural HMA undertaken. The data will be subject to review during the plan period.

4.8.12 All settlements identified in Figures 4.14 and 4.15 will have the opportunity for sensitive and appropriate housing growth. The primary focus for this housing will be in those settlements highlighted in Figure 4.14. In the remaining, typically smaller settlements of each HMA, as set out in Figure 4.15, particular attention will be given to ensure that housing developments should respect the scale, form, layout, character and setting of the settlement concerned. By virtue of their size and character many of these settlements do not have a traditional village or nuclear centre and in many cases have a dispersed settlement pattern which would need to be respected in the design of new housing proposals. This will ensure the delivery of schemes that are locally distinctive.

Policy RA1 – Rural housing distribution

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.

New dwellings will be broadly distributed across the county's rural areas on the basis of seven Housing Markets Areas (HMA) and as illustrated in Figure 4.13 This acknowledges that different areas of Herefordshire have different housing needs and requirements.

The 5,300 dwellings will be delivered throughout the rural HMAs as set out in the table below. The indicative housing growth targets in each of the rural HMAs will be used as a basis for the production of neighbourhood development plans in the county. Local evidence and environmental factors will determine the appropriate scale of development.

Rural HMA	Approximate number of dwellings 2011 - 2031	Indicative housing growth target (%)
Bromyard	364	15
Golden Valley	304	12
Hereford	1870	18
Kington	317	12
Ledbury	565	14
Leominster	730	14
Ross on Wye	1150	14
	5300	

Housing in Herefordshire's settlements

4.8.13 National policy supports a sustainable approach to development in rural areas which is locally responsive, reflecting local housing needs with an emphasis on supporting services, employment and facilities in villages, avoiding new isolated homes in the countryside.

4.8.14 As set out earlier in this section, each rural HMA was evaluated through combining the application of a localised benchmark (median settlement size in each rural HMA), together with an assessment of services. This approach will enable settlements in the rural areas to accommodate appropriate and environmentally sensitive sustainable housing development in accordance with the National Planning Policy Framework.

4.8.15 One hundred and nineteen settlements have been identified across the county to be the main focus of proportionate housing development in the rural areas. These are listed in Figure 4.14. Within these settlements carefully considered development which is proportionate to the size of the community and its needs will be permitted.

4.8.16 Residential development will be located within or adjacent to the main built up area(s) of the settlement. This will ensure that unnecessary isolated, non-characteristic and discordant dwellings do not arise which would adversely affect the character and setting of a settlement and its local environment.

4.8.17 Given the importance of the Herefordshire landscape, and particularly the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty¹, new dwellings should make a positive contribution to their rural landscape by being built to a high standard, incorporating appropriate materials and landscaping. High quality design that is sustainable and reinforces the locally distinctive vernacular will be particularly encouraged. Innovative and/or contemporary design will also be supported where it is appropriate to its context, it makes a positive contribution to the architectural character of the locality and achieves high levels of sustainability in terms of energy and water efficiency, as set out in Policy SD1. All residential development proposals will need to consider the capacity of the drainage network in the area and the impact of future development on water quality in accordance with Policy SD4.

4.8.18 Residential development will be expected to contribute to the future housing needs of each HMA by providing an appropriate mix of dwelling types and sizes having regard to the *Local Housing Market Assessment* and other relevant evidence sources. Developments should be sensitively and inclusively designed to reflect the lifelong housing needs of the local community. They should also contribute, where appropriate, to the provision of infrastructure, affordable homes and improving community cohesion.

4.8.19 Housing affordability is a significant issue in rural Herefordshire. This situation is exacerbated by an existing housing mix that is heavily skewed towards higher value properties, together with demand from people moving to rural areas and restricted scope for new house building. As a result there is a need for market housing priced at a level that can be afforded by local people.

4.8.20 On this basis, housing proposals will be expected to reflect the range that is required for the settlement concerned. In relation to proposals that seek specifically to meet identified local housing needs, those proposed developments must be based on appropriate, compelling evidence of how the proposal meets that need. . A planning obligation will restrict the occupation of dwellings on this basis to ensure their long term availability for those with local housing needs.

4.8.21 A proactive approach has been taken to neighbourhood planning within the county. At February 2015, there were 88 designated neighbourhood areas in the county and significant progress is being made in the production of neighbourhood development plans. These plans will be the principal mechanism by which new rural housing will be allocated. The proportional growth target within policy RA1 will provide the basis for the minimum level of new housing that will be accommodated in each neighbourhood development plan. The target represents a level of growth for parishes, as a percentage, that is proportionate to existing HMA characteristics. The main focus for development will be within or adjacent to existing settlements indicated within fig 4.14 and 4.15. In parishes which have more than one settlement listed in Figure 4.14 and 4.15 the relevant neighbourhood development plan will have appropriate flexibility to apportion the minimum housing requirement between the settlements concerned. This will allow for a locally flexible approach that will respect settlement characteristics, the distribution of local facilities and other local factors. This approach will accord with paragraph 55 of the NPPF which indicates that where there are groups of smaller settlements in rural areas, the development in one location may support

¹ Malvern Hills AONB Guidance on Building Design

services in a location nearby. The adoption of this approach will allow distinctive solutions which reflect the varied geographies in the county.

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;
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
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.

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.

Figure 4.14: The settlements which will be the main focus of proportionate housing development

HMA			
Bromyard	Golden Valley	Kington	Ledbury
Bodenham Bodenham Moor Bredenbury Bringsty Burley Gate Hope under Dinmore Linton Pencombe Risbury Stoke Cross/Stoke Lacy Stoke Prior Whitbourne	Bredwardine Clifford Cusop Dorstone Ewyas Harold Longtown Michaelchurch Escley Moccas Peterchurch Preston on Wye Vowchurch	Almeley Brilley Eardisley Lyonshall Norton Canon Pembridge Staunton on Wye Shobdon Titley Whitney on Wye Winforton	Ashperton Bishops Frome Bosbury Colwall Cradley Eastnor Fromes Hill Lower Eggleton/ Newtown Putley Wellington Heath
Leominster	Hereford	Ross-on-Wye	
Adforton Bircher Brampton Bryan Brimfield Bush Bank Dilwyn Eardisland Kimbolton Kingsland Leintwardine Leysters Lingen Lucton Luston Monkland Orleton Richards Castle Shirlheath Weobley Wigmore Yarpole	Bartestree/Lugwardine Bishopstone Burghill Canon Pyon Cleghonger Credenhill Eaton Bishop Fownhope Hampton Bishop Holme Lacy Little Dewchurch Madley Marden Mordiford Moreton on Lugg Stretton Sugwas Sutton St Nicholas Swainshill Tarrington Tillington Wellington Westhope Withington	Bromsash Brampton Abbots Bridstow Crow Hill Garway Goodrich Gorsley Hoarwithy Kingstone Kingsthorpe Kings Caple Lea Linton Little Birch Llangrove Much Birch Much Dewchurch Much Marcle Orcop Hill Peterstow Pontrilas Pontshill St Weonards Weston-under-Penyard	Walford (Coughton) Whitchurch Wilton Winnal Woolhope Wormbridge Wormelow

Figure 4.15: Other settlements where proportionate housing is appropriate.

HMAs			
Bromyard	Golden Valley	Kington	Ledbury
Docklow Edwyn Ralph Hatfield Munderfield Ocle Pychard Pudleston Steensbridge Ullingswick	Abbeydore Bacton Blakemere Lower Maes-coed Priory Wood Rowlestone Tyberton	Hergest Holme Marsh Kinnersley Letton Staunton on Arrow Woonton	Canon Frome Coddington Eggleton Mathon Monkhide Much Cowarne Stretton Grandison
Leominster	Hereford	Ross-on-Wye	
Ashton Aymestrey Brierley Cobnash Combe Moor Eyton Ivington Kinsham Leinthall Earls Leinthall Starkes Little Hereford Moreton Mortimers Cross Middleton on the Hill Stapleton Upper Hill Walford Wharton Yatton	Burmarsh Breinton Byford Dinedor Dormington Grafton Kings Pyon Ledgemoor Little Tarrington Litmarsh Mansel Lacy Moorhampton Munstone Pipe and Lyde Preston Wynne Priors Frome Ruckhall Shelwick Shucknall Stoke Edith Twyford Common Vauld Westhide Weston Beggard Withington Marsh Yazor	Aconbury Allensmore Aston Ingham Bishopswood Broad Oak Brockhampton Cobhall Common Didley Glewstone Harewood End Howle Hill Kilpeck Llancloudy Llangarron Llanwarne Much Birch/The Axe and Cleaver Orcop Rushall St Owens Cross Symonds Yat (West)	Three Ashes Thrupton Upton Crews Welsh Newton Common

Housing in Herefordshire's countryside

4.8.22 National guidance emphasises the importance of not promoting unsustainable patterns of development in rural areas and avoiding the provision of new isolated homes.

4.8.23 Where appropriate, settlement boundaries (or a reasonable alternative) for those settlements listed in Policy RA2 will be defined in either neighbourhood development plans

Local distinctiveness

5.3.2 To successfully deliver the Core Strategy vision in respect of environmental quality and local distinctiveness, this section provides a proactive strategy for the conservation, restoration and enhancement of environmental assets and the delivery of new green infrastructure to support policies SS6 and SS7.

5.3.3 Locally distinctive assets both natural and man-made, are finite and irreplaceable and any detrimental impacts can carry cultural, environmental, economic and social costs. A number of assets benefit from statutory designations within national and international legislation. Statutory designations range from large areas conserved for landscape, geodiversity or biodiversity importance, such as the Wye Valley and Malvern Hills Areas of Outstanding Natural Beauty and River Wye Special Area of Conservation, to individual statutory listed buildings which are protected for their architectural or historical significance. Appendix 8 lists the designated sites in Herefordshire at the time of adoption.

5.3.4 Non-statutory designations and locally determined features are equally important to Herefordshire's local distinctiveness. Working with partner organisations, Herefordshire Council has identified important assets such as local wildlife sites, local geological sites and areas and buildings of local interest which contribute to Herefordshire's unique character. Non-statutory locally distinctive buildings and green spaces will be identified through forthcoming Development Plan Documents or Neighbourhood Development Plans.

5.3.5 Conserving local distinctiveness is central to the purposes of designations at all levels and achieved substantially through the production and implementation of management plans, conservation strategies and objectives and guidance resulting from best practice and local assessments.

Landscape and townscape

5.3.6 The European Landscape Convention defines landscape as "*an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors*". Herefordshire has a distinctive and varied landscape. Much of the area is rural in nature but varied in landscape character, including high hills, forest, commons and river meadows. Herefordshire contains a wide range of settlement patterns, different types of farmland and evidence of ancient landscape features. This diverse landscape is an integral element of local Herefordshire's distinctiveness.

5.3.7 Landscape is important, not just as scenery but because it links culture with nature, and the past with the present. It has many values, not all of them tangible (such as sense of place); and it matters to people – it is people who create and value landscape. All landscapes matter, not only those with national designations. They provide a range of services such as food, water, climate regulation and aesthetic enjoyment.

5.3.8 The concepts of conservation, restoration and enhancement have been set out as a strategic approach to landscape and townscape management. The principles are relevant when considering the management of individual sites where the landscape character may be dependent upon unique landscape features. Landscape survey and analysis are proactive tools for allowing new build developments to address the three principles. For development proposals there are often opportunities for measures to conserve landscape features such as trees, to restore features such as boundary hedges and to enhance the landscape character by other means such as woodland planting, creation of wetland areas or restoration of historic features. The preparation of landscape schemes and management plans should address these three aspects in relation to the local landscape character and the relevant landscape type. Designated areas are detailed on the Policies Map. Specific conservation area boundaries can be found on the council's website at the planning/conservation pages.

Policy LD1 – Landscape and townscape

Development proposals should:

- 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;
- 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.

5.3.9 A number of landscape and townscape character assessments have been prepared supported by a Historic Landscape Characterisation and completed conservation areas appraisals. The *Landscape Character Assessment Supplementary Planning Guidance 2009* (SPD) will be reviewed during the plan period. The SPD will build upon the detailed evidence base documentation; including Natural England's Character Areas as well as more recently produced *Urban Fringe Sensitivity Analysis January 2010*, *Rapid Townscape Assessments (various)*, *Green Infrastructure Strategy February 2010* and other local studies covering the architectural and historic environment. In conjunction with the above, relevant Areas of Outstanding Natural Beauty Management Plans and associated guidance also provide more place-specific guidance which should inform development proposals from the outset.

5.3.10 The particular importance of trees is recognised within the planning system and the extent of tree cover is important to the county's landscape and townscape. Tree surveys and arboricultural impact assessments may be necessary where it is important to assess and protect existing trees on or adjacent to sites where development proposals are being advanced.

Biodiversity and geodiversity

5.3.11 Biodiversity can be defined as the variety of sites, habitats and species within a specified locality and is influenced by factors such as geology, topography and climate. Geodiversity refers to the natural processes and constituent parts that have shaped the landscape and includes minerals, soils and water. Geodiversity is the variety of rock, minerals, fossils, soils, landforms and natural processes that have shaped the landscape.

5.3.12 Biodiversity and geodiversity assets provide an important contribution to the distinctiveness of an area. Herefordshire has a diverse range of geological features and wildlife habitats such as the Malvern Hills, the River Wye, ancient woodlands and traditional orchards. Wildlife is not confined to designated sites and many features serve as wildlife corridors, links and stepping stones. Ecological networks are vital to the survival and dispersal of species. Herefordshire's biodiversity and geodiversity make a major contribution to the economy, supporting the tourism sector and providing a healthy and attractive environment for its residents.

Policy LD2 – Biodiversity and geodiversity

Development proposals should conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire, through the:

1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows :
 - a) Development that is likely to harm sites and species of European Importance will not be permitted;
 - b) Development that would be liable to harm Sites of Special Scientific Interest or nationally protected species will only be permitted if the conservation status of their habitat or important physical features can be protected by conditions or other material considerations are sufficient to outweigh nature conservation considerations;
 - c) Development that would be liable to harm the nature conservation value of a site or species of local nature conservation interest will only be permitted if the importance of the development outweighs the local value of the site, habitat or physical feature that supports important species.
 - d) Development that will potentially reduce the coherence and effectiveness of the ecological network of sites will only be permitted where adequate compensatory measures are brought forward.
2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and
3. creation of new biodiversity features and wildlife habitats.

Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and prevention of adverse impacts on, biodiversity and geodiversity features.

5.3.13 Areas of biodiversity and geological importance and sensitivity should be protected and development should enhance local habitats and ecological networks. Development within close proximity to internationally, nationally and locally designated sites will need to incorporate sympathetic design components to enhance their nature conservation interests and to avoid or mitigate any adverse impacts. Internationally important sites present within the county include Special Areas of Conservation (SACs); nationally important sites include Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs); and locally important sites include Local Wildlife Sites and Local Geological Sites.

5.3.14 Dependent upon the scale and proximity of development proposals affecting biodiversity or geodiversity features, Herefordshire Council may require developers to produce a management strategy to ensure the continued protection of the features of interest. Such management strategies may include monitoring information. This will provide up-to-date information which will shape future policy reviews as well as inform future site specific plans.

5.3.15 The Core Strategy objectives will be delivered through supporting development proposals that add to Herefordshire's biodiversity. During the plan period Herefordshire Council will review its Biodiversity Supplementary Planning Guidance utilising in particular the principles, opportunities and constraints detailed within the *Building Biodiversity into Herefordshire Council's Local Development Framework 2009*. Further areas of local

biodiversity or geodiversity importance may be designated or extended during the plan period.

5.3.16 Details of the county's biodiversity and geodiversity assets and features, some of which traverse the local authority's administrative boundaries, are listed in Appendices 8e-k and further information is held at the Herefordshire Biological Records Centre. Core areas have been identified where there are clusters of biodiversity and geodiversity features of high conservation value as detailed in the Herefordshire *Ecological Network Map 2012*. Development within and adjacent to these core areas and associated buffer zones will need to be sympathetically designed to ensure there are no adverse impacts upon them. Alongside this, Herefordshire Council will seek contributions to enhance and link such core areas.

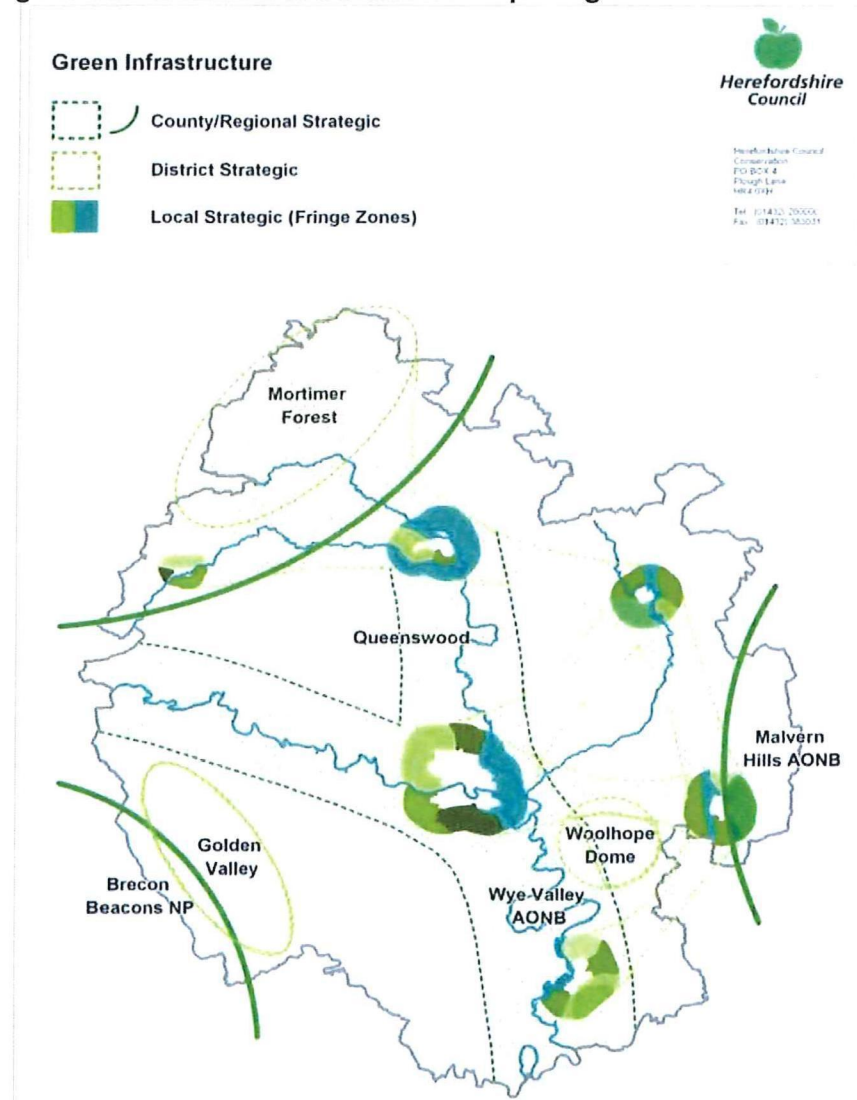
Green infrastructure

5.3.17 Green infrastructure is a multi-functional network of green spaces, links and assets within and surrounding the built environment, and providing connection to the wider countryside. As a major component of sustainable design it includes and contributes to health and wellbeing as well as biodiversity, culture and heritage across the county. It is not limited to urban areas and can be seen at different strategic levels as shown in the table below and the accompanying concept diagram, Figure 5.3.

Figure 5.2: Hierarchy of Green Infrastructure Assets

Geographic tier	Example of green infrastructure asset
County/Regional Strategic	<ul style="list-style-type: none">▪ Areas of Outstanding Natural Beauty▪ Sites of national and international nature conservation importance (e.g. SAC, SSSI)▪ Verges of trunk roads, motorways and railways
District	<ul style="list-style-type: none">▪ Rivers and large streams and their floodplains▪ Local wildlife sites. Scheduled ancient monuments▪ Designed landscapes
Local	<ul style="list-style-type: none">▪ Public and private parks and gardens▪ Recreational grounds, cemeteries, playing fields and public green spaces▪ Public rights of way and cycle paths

Figure 5.3: Green infrastructure concept diagram



Source: Herefordshire Green Infrastructure Strategy, February 2010

5.3.18 Herefordshire Council's *Green Infrastructure Strategy 2010* sets out a vision for green infrastructure across the county. It also provides a local framework around Hereford and the five market towns by defining strategic corridors, enhancement zones and fringe zones. These are areas where through sympathetic design and planning, a functional relationship between the urban and rural environments can be created and enhanced.

5.3.19 The development of new green infrastructure and preservation of existing assets will provide a variety of economic, environmental and social benefits. Economic benefits can be achieved through food production and productive landscapes, diversification of farming activities and attracting tourism. Environmental benefits include habitat provision and connectivity, landscape protection, energy conservation and mitigation of climate change impacts. Social benefits of green infrastructure include places for leisure, garden food production, recreation, sport and exercise, all of which make a major contribution to health and wellbeing. Development can include corridors for movement through foot and cycle paths. It provides opportunities for improving the management of and interpreting natural and heritage assets and how they contribute to local distinctiveness. Increased access to green infrastructure can promote physical and mental health and well-being.

5.3.20 Green infrastructure can provide energy production, flood attenuation, maintenance of water quality, water resource management, cooling effects and many other benefits encompassed under the concept of ecosystem services. The council is committed to work with Herefordshire Local Nature Partnership to bring forward a shared vision using green infrastructure to improve ecological networks and wider economic and social benefits as part of an “ecosystems approach”.

Policy LD3 – Green infrastructure

Development proposals should protect, manage and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:

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.

5.3.21 Development proposals should identify and protect existing green infrastructure. The Green Infrastructure Strategy 2010 and associated Study identify those features that contribute to the green infrastructure network. Proposals should take account of features within the site and also on adjacent sites as integration and connection with the surroundings is a key objective. Proposals should incorporate the retention and enhancement of features such as trees and hedgerows, together with long term management.

5.3.22 The inclusion of new planting, wildlife enhancement, creation and links, links to the countryside and river ways, green transport corridors, open spaces and recreational facilities and sustainable drainage systems within or associated with development proposals are important and valuable contributions to green infrastructure. Landscaping of development sites should feature planting of appropriate native species wherever possible, ensuring there is sufficient space for plants to grow to maturity. Opportunities for new elements include establishing grasslands, wildflower meadows, wetlands, orchards or woodland. New green infrastructure features could include promoting and extending the public rights of way network, increasing public access and providing interpretive information.

Historic environment and heritage assets

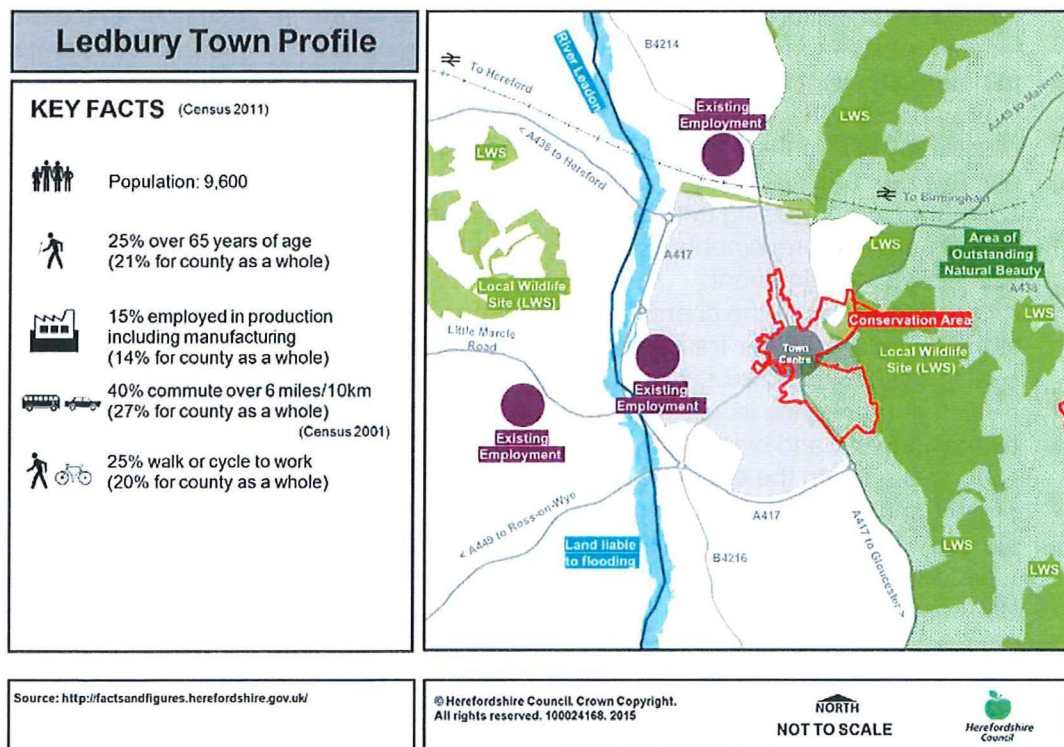
5.3.23 The historic environment is defined as all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora. Those elements of significance with statutory protection are referred to as designated heritage assets. Policy LD4 is applicable to heritage assets throughout Herefordshire whether formally designated e.g. listed buildings and conservation areas, or not, ranging from individual structures and their settings, archaeological remains, to larger neighbourhoods of historic value, parks, gardens and other green spaces of local interest.

5.3.24 The historic environment and heritage assets are significant contributors to sustainable development. Important local buildings have a social value and can act as focal points for local communities. The historic environment is of cultural value as it illustrates the

4.5 Ledbury

4.5.1 Within the overall vision for Herefordshire, Ledbury will continue to be supported in its role as a thriving service centre to its surrounding rural area in the east of the county. This vision is manifested in strategic objectives 1, 4, 6, 8 and 10. For Ledbury, the focus will be on meeting housing needs including affordable housing, reducing the need to travel by private car, facilitating the provision of new jobs to stem out-commuting, improving delivery of and access to services, and realising the value of the local environment as an economic asset through promoting sustainable tourism and high quality housing. The spatial strategy, which proposes sustainable development for the town (in terms of new homes and employment opportunities), is balanced against Ledbury's unique needs, opportunities and constraints as represented in the town profile – Figure 4.7.

Figure 4.7: Ledbury Town Profile



Background to policies

4.5.2 To achieve the strategy, an urban extension of new homes is proposed to the north of the town and new employment land to the west. This approach will address the specific issues and opportunities identified in the town profile for Ledbury, namely: addressing high affordable housing need; high levels of commuting for jobs; and the significant environmental constraints affecting the setting of the town, which is enclosed on the east side by the Malvern Hills Area of Outstanding Natural Beauty and floodplains of the Leadon Valley and adjoining sensitive landscapes to the west. Policies LB1 and LB2 set out how the spatial strategy for Ledbury will be delivered and managed and are explained in the Ledbury Key Diagram, Figure 4.8.

Policy LB1- Development in Ledbury

Ledbury will accommodate a minimum of 800 new homes balanced with a minimum of 15 hectares of new employment land during the plan period. The majority of new housing development will be focussed to the north of the town as set out in Policy LB2 and the strategic location for new employment of around 12 hectares to the west of the town, south of Little Marcle Road. Further development will take place through the implementation of existing commitments, infill development, and sites allocated through a Neighbourhood Development Plan. A number of sites which have future potential for development have been identified in the *Strategic Housing Land Availability Assessment (SHLAA)*.

Within Ledbury, new development proposals will be encouraged where they:

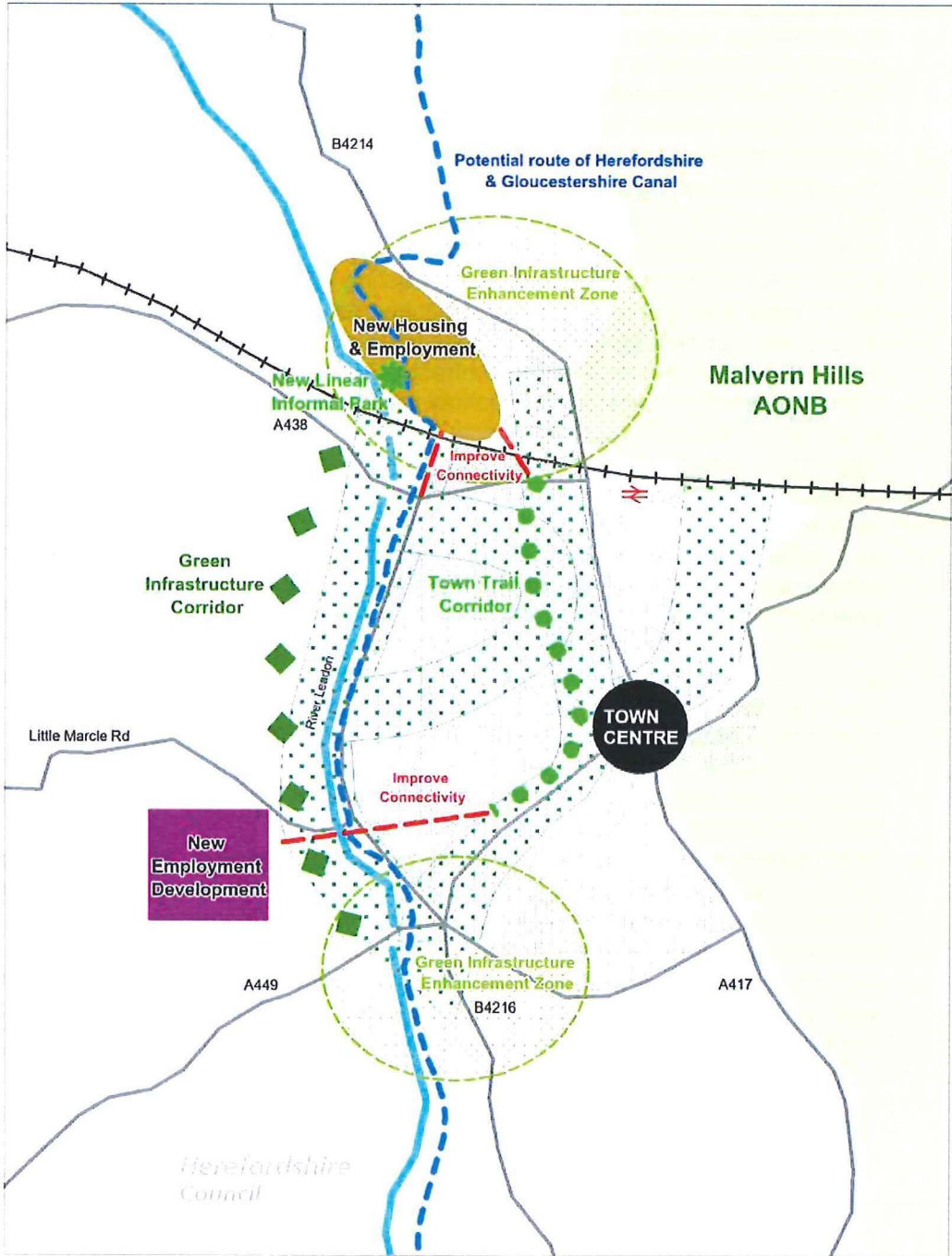
- allow for suitable small scale employment sites including live work opportunities within or adjoining the town;
- maintain and enhance the vitality and viability of the existing town centre. Proposals for new retail, leisure or office development of over 400m² in gross floor space and located outside the town centre will need to be supported by an impact assessment to determine whether there could be any adverse impacts on the town centre;
- improve accessibility within Ledbury by walking, cycling and public transport, particularly where they enhance connectivity with, for example, local facilities, new employment areas and the town centre;
- contribute to addressing deficiencies in community facilities and/or allow for infrastructure improvements (including broadband) in the town, to promote sustainable development;
- reflect and enhance the characteristic built historic elements of Ledbury, such as its stone, brick and timber-framed buildings, medieval plan form, conservation areas and setting overlooking the Leadon Valley;
- protect and enhance its green infrastructure, including connections to the public right of way network and biodiversity, particularly the Malvern Hills Area of Outstanding Natural Beauty to the east and the Leadon valley to the west;
- protect and enhance the setting of the town from eastern and western viewpoints; and, where this is not possible, incorporate appropriate mitigation measures; and have demonstrated engagement and consultation with the community including the town council.

Policy LB2 - Land north of the Viaduct

Development proposals north of the viaduct in Ledbury will be expected to bring forward the following to achieve a sustainable mixed use urban extension of the town:

- a comprehensively planned, mixed use development of around 625 new homes, at an average density of around 40 dwellings per hectare, comprising a mix of market and affordable house sizes and types that meet the requirements of Policy H3 and the needs identified in the latest version of the Herefordshire Local Housing Market Assessment;
- around 3 hectares of employment land, restricted to Use Class B1;
- a target of 40% of the total number of dwellings to be affordable housing;
- land and contributions to facilitate a restored canal to be delivered in partnership with the Herefordshire and Gloucestershire Canal Trust;
- a new linear informal park to link to the existing town trail, riverside walk, recreational open space and existing allotments;
- the provision of developer contributions towards any identified need for new/improved community facilities/infrastructure improvements. This shall include a new 210 place primary school within the development (or an expansion of the existing primary school) and new recreational open space, play, indoor and outdoor sport facilities;
- provision of satisfactory vehicular access arrangements, the details of which will be determined at planning application stage;
- appropriate mitigation to safeguard the amenity of future occupants from unacceptable levels of noise and to safeguard the continued operation of existing businesses adjoining the area;
- development of bespoke, high quality and inclusive design, including accommodation that will meet the needs of older persons and that contributes to the distinctiveness of this part of Ledbury and respects the setting and significance of the listed viaduct and the Malvern Hills Area of Outstanding Natural Beauty;
- safeguards to ensure there is no adverse impact on water quality and quantity in the River Leadon;
- new walking, cycling and bus links from the urban extension directly to the town trail and riverside walk under the viaduct, the railway station and town centre to create linkages to nearby development and existing community facilities;
- sustainable standards of design and construction; and
- a comprehensive sustainable urban drainage system which includes measures such as rain gardens and swales to manage ground and surface water drainage and safeguard against any increased flood risk.

Figure 4.8: Ledbury Key Diagram



New homes

4.5.3 The policy for Ledbury focuses on delivering high quality, sustainably constructed new homes to meet housing need and demand, especially for that of smaller open market housing and affordable housing, in this high house price area. It also aims to balance new development against the environmental constraints of this historic market town. The strategy to deliver new homes mainly in a single location is not only economically viable but also limits development mainly to land of medium-low landscape sensitivity and of lesser environmental merit, with regard to agricultural and biodiversity value. The listed viaduct adjoining the area also represents an opportunity to create a bespoke design solution and high quality townscape to meet the needs of all sections of the community including housing for older persons – a need highlighted in the study of the *Housing and Support needs of Older People in Herefordshire 2012*. Housing will be phased to tie in with the construction and provision of essential new community infrastructure in line with Policy SS3. The remaining housing requirement for Ledbury will be delivered through existing commitments, windfalls and the allocation of sites through a Neighbourhood Development Plan.

New jobs

4.5.4 The policy to deliver around 12 hectares of employment land to the south of Little Marcle Road will help facilitate greater employment opportunities for Ledbury residents, promoting its role as a multi functioning centre and reduce the need for commuting by private car. This area of arable land adjoins existing employment land and sports pitches and is of low landscape sensitivity and biodiversity value. Acceptable access can be achieved from Little Marcle Road, whilst new sustainable transport links can be created into the town including safe crossings of the by-pass. Structural landscaping will be required along the western and southern boundaries to mitigate the visual impact of new buildings. The land will particularly provide opportunities for medium and large size business requiring large land areas, including the expansion of existing businesses.

4.5.5 Land north of the viaduct will also include around 3 hectares of employment land (in addition to any existing commitments), which will be restricted to use class B1 (light industry, offices, research and development) in order to complement the larger employment area. Small-scale sites for employment use will also be identified through a Neighbourhood Development Plan.

4.5.6 The figures for employment (as with housing) are targets for the whole plan period and will be monitored through the annual monitoring process to assess performance and the need for any management measures.

Movement

4.5.7 The policy approach for movement in Ledbury is based on reducing the need to travel by private car. This will be achieved by locating new development within walking and cycling distance of existing and new facilities (including the railway station) and improving and extending sustainable transport routes. New employment land and other policies in the Core Strategy, as well as the forthcoming Neighbourhood Development Plan, will also promote local employment opportunities. This will help address the issue of reducing the need to travel. Herefordshire Council (through the *Local Transport Plan*) proposes to work in partnership with bus operators and developers to ensure housing and employment locations are served by public transport and that service frequencies linking to Hereford are maintained.

4.5.8 Vehicular, pedestrian, cycle and bus access to the housing site will need to be provided with additional sustainable transport links to the station A reduction in the speed limit along the Bromyard Road and improvements to the Hereford Road/Bromyard road junction are also likely to be required to improve the design, safety and efficiency of this road and junction. These, and any other highway improvements, will be informed by a traffic

assessment, and will be considered as part of the Council's determination of planning applications on the site.

4.5.9 The issue of car parking supply and demand at the railway station and in the town centre will be addressed through a Neighbourhood Development Plan. With regards parking to serve the railway station, the opportunity may exist for an underground overspill car park on land north of the railway line which could be funded through community infrastructure levy monies, subject to landowner agreement.

Green infrastructure and open space

4.5.10 Developing land to the north of the viaduct addresses aspirations of the *Green Infrastructure Strategy* which identifies the area as an Enhancement Zone, representing a possible intersection of the riverside linear park and the town trail green infrastructure corridors. It enables the introduction of new, accessible green space through the provision of a linear park, on-site recreational open space and part of a strategic canal route all of which will address the issue of deficiencies in open space in Ledbury as identified in the *Open Space Study and Playing Pitch Strategy*, as well as promote biodiversity. The strategic employment area also offers opportunities to reinforce the green infrastructure enhancement zone.

4.5.11 This approach realises the value of the environment as an economic asset, as the urban extension will create better access to and enjoyment of new green infrastructure for residents and tourists alike. A review of open space needs and existing designations in Ledbury will be undertaken as part of a Neighbourhood Development Plan.

Community and educational facilities

4.5.12 Improving the delivery of and access to, services is addressed in this policy through requirements for new infrastructure. This will be either directly delivered by a developer or through developer contributions, including either a new primary school at the urban extension or an expansion of the existing primary school, canal, riverside park, outdoor sports pitches and other community facilities. A centrally located, equipped, multi age play area will also be provided on the urban extension, along with new outdoor sports facilities, further enhancing the opportunities for active play. An upgrade to the public water supply infrastructure to serve the new housing and employment growth may also be required.

4.5.13 Opportunities will also be sought to secure the reinstatement of other sections of the former Herefordshire and Gloucestershire Canal within/adjoining the town through a Neighbourhood Development Plan.

Heritage and archaeological value

4.5.14 A landmark feature of Ledbury is its railway viaduct which is Grade II listed. Any development of the viaduct site will need to respect the setting and significance of the viaduct, yet regard it as a positive feature to be integrated within, and inform the detailed master planning and design of, any scheme.

Retail

4.5.15 The policy for shopping in Ledbury, based on the evidence in the *Town Centres Study Update 2012*, is to maintain the existing, thriving centre which is based on a mixture of popular high street and independent stores. New homes and households in Ledbury will strengthen this support for the town centre and improvements to sustainable modes of transport into the town centre via the existing town trail will also support this approach.

4.5.15 The *Town Centres Study Update 2012* indicates a need for further convenience shopping floor space in the town up to 2031 and further comparison retail from 2026. The study also concludes that there is an opportunity to increase the specialist nature of some of the independent shops which attracts a large amount of people from the wider surrounding

area. Initiatives such as the *Ledbury: From Field to Fork Initiative* will assist in supporting this aim. As is required by paragraph 23 of the NPPF, an area near to the edge of the town centre area at Bye Street/Lawnside Road is identified as a possible location for additional convenience retail floor space in any sequential search, but is not included as a site-specific proposal of the Core Strategy. Should any proposals be advanced for this area it will be subject to the retention or the replacement of the existing community facilities, including the swimming pool, either on the site or in an appropriate and accessible location elsewhere within the town. Any replacement facilities must be completed prior to the loss of existing facilities. The need highlighted in the *Town Centres Study Update 2012* will be reviewed regularly against expenditure capacity and the identification of any specific proposals to meet the needs will be considered through a Neighbourhood Development Plan.

Surface water management and fluvial flooding

4.5.16 The west of Ledbury is prone to flooding from the River Leadon. The physical development within the urban extension and employment area will need to demonstrate through a flood risk assessment that the housing, employment, play and sports facilities avoids the areas that are vulnerable to flooding and does not increase flood risk for any existing residents and businesses. Additionally, the urban extension and employment area should include a sustainable surface water drainage management system, incorporating features such as swales and ponds, sensitively integrated with the development, to achieve existing or better than existing greenfield runoff rates.

Saved Unitary Development Plan Policies (2007) to be replaced by the Local Plan - Core Strategy

The following table sets out the policies of the Herefordshire Unitary Development Plan which have been replaced by the policies of the Core Strategy

Core Strategy Policy	Saved UDP Policy	Title
SS1, SS7	S1	Sustainable development
SS1, SD1, ID1	S2	Development requirements
SS1, SS2, SS3	S3	Housing
SS5	S4	Employment
E5, E6	S5	Town centres and retail
SS4	S6	Transport
SS6	S7	Natural and historic heritage
OS1, OS2, OS3, E4	S8	Recreation, sport and tourism
SC1	S11	Community facilities and services
SD1	DR1	Design
SS7, SD1	DR2	Land use and activity
SS4, HD3, SD1, MT1	DR3	Movement
SS6, SS7, SD1-SD4, OS1	DR4	Environment
ID1	DR5	Planning obligations
SS6, SS7, SD3	DR7	Flood risk
SS7, SD3	DR8	Culverting
SS6, SS7, SD1	DR9	Air quality
SS6, SS7, SD1	DR10	Contaminated land
SS6, SS7, SD1	DR11	Soil quality
SD1	DR12	Hazardous substances
SS6, SD1	DR13	Noise
SS6, SD1	DR14	Lighting
SS2, HD1, HD2, HD4, HD5, HD6, BY1, BY2, KG1, LB1, LB2, LO1, LO2, RW1, RW2	H1	Hereford and the market towns: settlement boundaries and established residential areas
	H2	Hereford and the market towns: housing land allocations
RA2 - Settlement boundaries may be carried	H4	Main villages: settlement boundaries

forward through Neighbourhood Development Plans or other Development Plan Documents		
RA1, RA2 and future Neighbourhood Development Plans/other Development Plan Documents	H5	Main villages: housing land allocations
SS2, RA1, RA2	H6	Housing in smaller settlements
SS2, RA3	H7	Housing in the countryside outside settlements
RA4	H8	Agricultural and forestry dwellings and dwellings associated with rural businesses
SS2, H1-H4, MT1, OS1, OS2, SD1	H9	Affordable housing
	H10	Rural exception housing
	H12	Gypsies and other Travellers
	H13	Sustainable residential design
	H14	Re-using previously developed land and buildings
	H15	Density
	H16	Car parking
	H17	Sub-division of existing housing
	H18	Alterations and extensions
	H19	Open space requirements
E1, HD7	E1	Rotherwas Industrial Estate
HD7,	E2	Moreton on Lugg depot, Moreton on Lugg
E1, E2, Place Shaping policy section and future Neighbourhood Development Plans/other Development Plan Documents	E3	Other employment land allocations
SS5, E2	E5	Safeguarding employment land and buildings

SS5, E1	E6	Expansion of existing businesses
SS5, E1	E7	Other employment proposals within and around Hereford and the market towns
SD1, E1	E8	Design standards for employment sites
SS5, RA6	E10	Employment proposals within or adjacent to main villages
	E11	Employment in the smaller settlements and open countryside
	E12	Farm diversification
	E13	Agricultural and forestry development
	E14	Conversions of large dwellings to employment uses
	E15	Protection of greenfield land
	E16	Intensive livestock units
	E17	Military development
E5, E6	TCR1	Central shopping and commercial areas
	TCR2	Vitality and viability
	TCR3	Primary shopping frontages
	TCR4	Secondary shopping frontages
	TCR5	Uses outside Class A of the Use Classes Order
	TCR6	Non-retail uses (Classes A2 – A5)
	TCR7	Amusement centres
	TCR9	Large scale retail and leisure development outside central shopping and commercial areas
E1	TCR10	Office development
E2	TCR11	Loss of existing offices
SC1 and Figure 3.6	TCR13	Local and neighbourhood shopping centres
SC1, RA6	TCR14	Village commercial facilities
	TCR16	Garden centres
	TCR17	Farm shops
	TCR18	Petrol filling stations
HD2	TCR19	Hereford Livestock Market – relocation
	TCR20	Eign Gate regeneration area
HD2	TCR21	Canal basin and historic core
HD2	TCR22	Hereford United Football Club/ Merton Meadow
	TCR23	Civic quarter
E5	TCR25	Land for retail warehousing
SS5, OS2	TCR26	Land at Commercial Road
SS4, SD1,	T1	Public transport facilities

MT1	T2	Park and ride
SS4, MT1	T3	Protection and development of the rail network
	T4	Rail freight
	T5	Safeguarding former railway land
SS4, SD1, MT1	T6	Walking
	T7	Cycling
SS4, MT1	T8	Road hierarchy
SS4, MT1	T9	Road freight
SS4, HD3	T10	Safeguarding of road schemes
MT1	T11	Parking provision
SS1, SD1	T12	Existing parking areas
SS4, MT1, SD1	T13	Traffic management schemes
	T14	School travel
	T15	Air transport facilities
	T16	Access for all
SS6, LD1 – LD4	LA1	Areas of Outstanding Natural Beauty
	LA2	Landscape character and areas least resilient to change
	LA3	Setting of settlements
	LA4	Protection of historic parks and gardens
	LA5	Protection of trees, woodlands and hedgerows
	LA6	Landscaping schemes
	NC1	Biodiversity and development
	NC3	Sites of national importance
	NC4	Sites of local importance
	NC5	European and nationally protected species
	NC6	Biodiversity Action Plan priority habitats and species
	NC7	Compensation for loss of biodiversity
	NC8	Habitat creation, restoration and enhancement
SS6, SD1, LD1	NC9	Management of features of the landscape important for fauna and flora
	HBA1	Alterations and extensions to listed buildings
	HBA2	Demolition of listed buildings
	HBA3	Change of use of listed buildings
SS6, LD1, LD4	HBA4	Setting of listed buildings
Covered by other legislation	HBA5	Designation of conservation areas

SS6, SD1, LD1, LD4	HBA6	New development within conservation areas
	HBA7	Demolition of unlisted buildings within conservation areas
SD1, LD1, LD4	HBA8	Locally important buildings
SS6, OS3, LD1, LD2, LD3, LD4	HBA9	Protection of open areas and green spaces
SD1, LD1, LD2, LD4	HBA10	Shopfronts
RA5	HBA12	Re-use of rural buildings
	HBA13	Re-use of rural buildings for residential purposes
SS6, LD4	ARCH1	Archaeological assessments and field evaluations
	ARCH2	Foundation design and mitigation for urban sites
	ARCH3	Scheduled Ancient Monuments
	ARCH4	Other Sites of National or Regional Importance
	ARCH5	Sites of Lesser Regional or Local Importance
	ARCH6	Recording of archaeological remains
	ARCH7	Hereford AAI
LD4	ARCH8	Enhancement and improved access to archaeological sites
SS6, OS2, E4	RST1	Criteria for recreation, sport and tourism development
SS6, OS2, E4, LD1	RST2	Recreation, sport and tourism development within Areas of Outstanding Natural Beauty
OS1-OS3, SD1	RST3	Standards for outdoor playing and public open space
	RST4	Safeguarding existing recreational open space
	RST5	New open space in/adjacent to settlements
	RST6	Countryside access
LD3, OS1, OS2, E4	RST7	Promoted recreational routes
LD3, E4	RST8	Waterway corridors and open water areas
E4	RST9	Herefordshire and Gloucestershire Canal
SS6, SS7, OS2	RST10	Major sports facilities
SS6, E4, SD1, LD1, RA5, RA6	RST12	Visitor accommodation
	RST13	Rural and farm tourism development
	RST14	Static caravans, chalets, camping and touring caravan sites
ID1 SD1, SD4 SS6, SD1, LD1,	CF1	Utility services and infrastructure
	CF2	Foul drainage
	CF3	Telecommunications
	CF4	Renewable energy

SS6, SS7, SD2	CF5	New community facilities
SC1	CF6	Retention of existing facilities
SC1, SD1	CF7	Residential nursing and care homes

6.0 Delivery, Implementation and Monitoring

Infrastructure contributions

6.1 New development can place additional demands upon physical, social and green infrastructure, such as roads and sewers, community buildings and parks. It is a well-established principle, in national guidance and legislation, that new development should contribute towards the provision of such infrastructure, to ensure existing communities are not disadvantaged by any increased pressure on facilities from new development.

6.2 Planning legislation provides for the funding of infrastructure from developers. The legislative framework is set out in section 106 of the Town and Country Planning Act 1990, as amended by section 12 of the 1991 Planning and Compensation Act, Part 11 (Community Infrastructure Levy) of the Town and Country Planning Act 2008 and the Community Infrastructure Levy (CIL) Regulations 2010 (as amended 2011, 2012 & 2013). Government policy on planning obligations is also set out in paragraphs 203 to 205 of the National Planning Policy Framework (NPPF) 2012.

6.3 Previously, Government made provision for a Community Infrastructure Levy (CIL) to be introduced in Regulations that came into force in April 2010, now amended by the Community Infrastructure Levy (Amendment) Regulations 2011, the Community Infrastructure Levy (Amendment) Regulations 2012 and the Community Infrastructure Levy (Amendment) Regulations 2013. Local authorities will be empowered to charge a levy on new developments to help finance the infrastructure needed to support growth. However, local authorities should have clear evidence about planned infrastructure, its cost, timing and other likely sources of funding, to underpin their development strategies. This will be provided through an Infrastructure Delivery Plan (IDP) which will sit alongside the Core Strategy.

6.4 The IDP will need to be accompanied by a Charging Schedule for how the levy is calculated, which will be independently examined. In addition, a list of community infrastructure projects that the council has prioritised, for the infrastructure levy to be spent on, will be prepared (a CIL 123 list).

6.5 The use of planning obligations, known as section 106 contributions, (which Herefordshire has traditionally used) will still remain, but will only relate to those infrastructure requirements required as a direct result of the development and where they meet the following statutory tests;

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

6.6 For clarity, CIL is a fixed tariff intended to be used for general infrastructure contributions whilst s106 obligations will be for site-specific mitigation. For the avoidance of doubt, infrastructure is defined as; those physical, social and green infrastructure projects required as a result of growth in the county. This includes housing, transport, sport and recreation, community facilities including education, health and emergency services, water and sewerage facilities, flood risk management, renewable energy generation, waste management, built environment and public realm improvements and green infrastructure.

Policy ID1- Infrastructure Delivery

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.

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.

A Planning Obligations Supplementary Planning Document (SPD) will provide details of the type and scale of obligations that may apply.

6.7 All new development can impact on existing services and facilities in its local area, whether individually or cumulatively. This can have a direct impact on the need for new facilities either locally or on a larger, strategic scale. For example, new development on a single large site or on lots of smaller sites will have the same overall impact on the demands placed on the existing sewerage network. In this respect it is right to expect all new development to contribute to making communities safe, healthy and attractive places to live. Policy ID1 addresses this issue and will help to deliver a whole range of other policies in the Local Plan - Core Strategy.

6.8 The policy proposes that all new development is required to contribute to infrastructure needs. This will be achieved through a combined approach of using a set Community Infrastructure Levy (CIL) and planning obligations (section 106) for all development types to bring forward affordable housing (in conjunction with Policy H1) and other site specific infrastructure necessary for the development to take place.

6.9 Individual developments will not be charged for the same items of infrastructure through both CIL and planning obligations.

6.10 The CIL has been introduced to provide a fair and consistent mechanism for pooling contributions from all eligible developments towards infrastructure. It provides certainty, so that developers can calculate in advance of submitting a planning application, the level of contribution required. Although the tariff will usually be a financial contribution, there is also the option of transfer of land in lieu of a financial payment.

6.11 The levy is a fixed rate charge, based on square metres of net additional built floor space and is non-negotiable. The charge is levied on one or more dwellings and developments of more than 100m² of floor space. Exemptions include; affordable housing and charities. The CIL regulations allow the council to introduce charge variations by geographical zone within its area, by land use, or both. These are set out in the Charging Schedule. Some uses may be set at zero in some zones, as the variations reflect differences in viability.

6.12 The proceeds of the CIL will be spent on strategic and local infrastructure to support the development of the county. Developer contributions on their own will not be able to meet the entire cost of a major infrastructure project. Core public funding will continue to contribute.

6.13 The type of infrastructure that the tariff will be used to service is set out in an Infrastructure Delivery Plan (IDP). The IDP provides robust evidence of infrastructure requirements through to 2031, but the focus is on the measures that are needed within the first 5 years from the date of adoption, in the context of the longer term plan set out in the Core Strategy. The IDP schedule and required infrastructure is set out on an area basis to include Strategic County-wide, The Hereford Area, the Market Towns and the Rural Areas.

6.14 It is acknowledged that the IDP schedule cannot specify the entire infrastructure that will be provided in the county to 2031. Changed requirements may become apparent as new areas of development are designed in more detail and or ways of delivering services or facilities are reviewed. The IDP schedule is not intended as a one-off document. Through the life of the Core Strategy, changes to the policies and strategies of service providers and the introduction of new technology will have implications for infrastructure requirements and their costs. Public funding levels are also likely to vary over the life time of the Plan. The information contained in the IDP schedule will be kept under review and updated. The council, together with its partners, will need to look for innovative ways to fund and provide the necessary infrastructure. This is why it is called a "live document".

6.15 A list of prioritised infrastructure projects, which the council have committed to, will be advertised on the council's website in the form of a Regulation 123 list. This list will have been verified in terms of achievability and phasing of delivery through a separate evidence base dealing with Economic Viability, which will ensure that a balance is struck between the required infrastructure projects and the ability of the strategic sites to be delivered by the development industry.

6.16 Monies received in respect of the tariff and planning obligations will be monitored and reported on through the LDF Annual Monitoring Report. Joint working with internal and external delivery partners will be necessary to keep the Charging Schedule and Infrastructure Delivery Plan up to date and relevant.

6.17 The council accepts that there are may be occasions where development proposals are unable to meet all the relevant policy requirements and still remain viable. Where the council is satisfied that an otherwise desirable development cannot be fully compliant and remain viable, a reduced package of planning obligations may be recommended.

6.18 In order to enable the council to assess the viability of a proposal, the applicant will be required to provide any necessary cost and income figures to the council and pay the council's full costs in appointing an independent assessment of the viability proposal.

6.19 In all cases, the council requires viability to be undertaken using a residual land value approach. This means that the starting point for a viability assessment is to be the existing use value (i.e. what the site is worth in its current condition for the use that it has planning consent for). Viability claims based on an over inflated price that has been paid for a site will not be accepted.

6.20 A Planning Obligations Supplementary Planning Document will be prepared to give more details of the council's requirements which are to be met through planning obligations.

Delivery

6.21 The policy will be delivered through:

- the development management process;
- the neighbourhood planning process;
- partnership working with infrastructure providers;
- an Infrastructure Delivery Group to administer project proposals and propose priorities;
- a s106 Supplementary Planning Document;
- a CIL Charging Schedule; and
- a CIL 123 List.

Implementation and monitoring of the Core Strategy

6.22 The continuous monitoring of policies and proposals is essential to ensure that the Core Strategy achieves its objectives. The policies will be monitored principally through the Annual Monitoring Report (AMR), in the manner described at the end of each section of this document and in Appendix 3 – the Implementation, Monitoring and Delivery Plan. The AMR report will set out the basic achievements of the main policies and contain details about the implementation of the housing policies in particular.

6.23 If it appears that the policies are not being effective, the following actions will be taken:

- review of the policy or policies concerned and of the implementation mechanisms which may include a full or partial review of the plan; and
- actions to speed up the delivery of land for development; and/or
- identification of alternative or additional land through further Development Plan Documents and/or Neighbourhood Development Plans.

6.24 The policies and proposals will also be assessed against key objectives and targets included in the Sustainability Appraisal to assess their contribution towards promoting sustainable development. There will be a section in the AMR dealing with this aspect.

6.25 Clearly, the Core Strategy must be able to respond to changing needs and circumstances. This will include assessing the potential impacts of new or updated national and local policy and guidance. There will be a section in the AMR dealing with this aspect.



The Planning Inspectorate

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Your Ref:

Our Ref: APP/W1850/W/15/3009456

20 October 2015

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Gladman Developments Ltd
Site Address: Land south of Leadon Way, Ledbury, Herefordshire

It has been brought to my attention that your LPA has recently adopted a new local plan document. As you will appreciate, planning appeals must be determined on the basis of the development plan as it exists at the time of the Inspector's (or the Secretary of State's) decision.

If you consider the reasons for refusal/LPAs planning objections are now supported by newly adopted plans or policies please supply copies of relevant extract(s), stating the date on which each new policy was adopted and which of the policies originally relied upon it replaces.

Alternatively, If you consider the reasons for refusal/LPAs planning objections are no longer supported as a result of the newly adopted plans or policies please clearly explain the LPA's current policy position in respect of this appeal.

In order to avoid any unnecessary delay to the progress of this appeal please ensure that you provide a full reply within seven days of the date of this letter. Please note we must receive a response to this letter.

Yours faithfully,

Robert Cook
Robert Cook

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is - www.planningportal.gov.uk/planning/appeals/online/search