



HEREFORDSHIRE  
COUNCIL

---

# Herefordshire Unitary Development Plan

---

Written Statement

Adopted March 2007

## FOREWORD

I am very pleased to introduce the Herefordshire Unitary Development Plan.

Herefordshire has a unique character. Its natural beauty is second to none, with nationally acclaimed landscapes and a rich wildlife heritage. History and architecture abound. Its market towns and villages each have their own special sense of place – in terms of how they look, how they work, how they relate to each other. With the cathedral city of Hereford at the centre, they offer many vital services to the surrounding rural areas.

Herefordshire Council is keenly aware of the responsibility it has to respect this special character in providing for necessary development. The Plan has to provide for the new homes, jobs and facilities that people need, with growth in the towns balanced with support for rural regeneration. A particular concern is the provision of a range and mix of housing to meet the needs of all - including the young and the old, and those in need of affordable accommodation. At the same time, it is essential that such development is properly and effectively planned to ensure the protection and enhancement of our towns and countryside. Above all, we must make sure that future development in Herefordshire is truly sustainable, so that future generations can enjoy what we have today.

The Plan has been prepared to meet this challenging vision. It has been developed in a spirit of partnership working, with the Community Strategy for the County providing a key reference point. I thank all those who have contributed to the Plan and commend it to you.

Councillor Phil Edwards  
Cabinet Member for the Environment  
Herefordshire Council

- 4.4.7 Supplementary planning guidance entitled 'Design and Development Requirements' has been published separately to help applicants address the design issues referred to in policy DR1 and other policies within this chapter of the Plan. It expands upon Plan policies and specifically furthers the use of design statements, illustrating where necessary the instances where such issues may need to be addressed. Wherever relevant the guidance provides the further detail applicants need to consider in respect of good design practice. In addition, a number of communities in Herefordshire have prepared documents such as village design statements and parish plans. The planning elements of such documents will be adopted as further planning guidance as an expression of local distinctiveness and community participation.
- 4.4.8 The Council are pursuing a Public Arts Strategy to raise awareness and challenge people to think creatively and imaginatively by engendering a sense of pride, wonder and surprise in the built and natural environments. Within major developments and particularly in publicly accessible places, street environments or public open spaces such developments will be required to include works of public art to promote a sense of identity and culture. In other instances and where appropriate, individual contributions will be sought to a wider and related area improvement or regeneration scheme. Such contributions will be secured by a planning condition or planning obligation.

#### **DR1 Design**

**Where relevant to the proposal, all development will be required to:**

- 1. promote or reinforce the distinctive character and appearance of the locality in terms of layout, density, means of access and enclosure, scale, mass, height, design and materials;**
- 2. retain and where possible incorporate existing site features contributing to the quality of the local environment, including landscape, historic and natural elements such as wildlife habitats and species;**
- 3. respect the context of the site, taking into account townscape and landscape character and topography, including the impact of the proposal on urban vistas, longer distance views and ridgelines;**
- 4. include measures that address health and safety, the conservation of energy and water, and avoids nuisance and pollution; and**
- 5. submit a design statement with the application for planning permission which sets out how proposals relate to issues of design quality, environmental conservation and sustainability.**

**Development which does not adequately address design principles or is of poor design, including schemes which are out of scale or character with their surroundings, will not be permitted.**

**Within major development proposals, the provision of public art will be expected as an integral part of the overall design to enhance identity and local distinctiveness.**

#### *Land use and activity*

- 4.4.9 There are many ways in which patterns of land use can be used to promote a sustainable environment. In terms of the aim of reducing the need to travel, especially by car, an important contribution can be made by ensuring that schemes are both located and designed to maintain and improve choice for the use of walking, cycling and public transport. For instance, schemes which incorporate a mix of uses promote vitality, diversity and help reduce the need to travel, and will be particularly relevant in and around Hereford city centre and the market town centres as well as in major new development areas. It is recognised that the scope for promoting a genuine choice of modes of travel varies across the County, particularly between



the urban and rural areas. However full use should be made of all available opportunities, particularly those arising in public transport corridors.

- 4.4.10 Developments can make specific contributions to safety and security – both personal and property – and this is a material consideration in assessing proposals. The Council has a duty under the Crime and Disorder Act 1998 to have regard to the prevention of crime and disorder in exercising all its functions, and in partnership with other agencies in Herefordshire has drawn up a Crime and Disorder Reduction Strategy. In terms of land use planning, relevant aspects of crime prevention include overall site planning, embracing the disposition of buildings, vehicle parking and other open areas; access arrangements; landscaping and lighting, which together should minimise opportunities for concealment, and making full use of opportunities for informal surveillance.
- 4.4.11 All proposals should respect the amenity of existing neighbouring uses, particularly in the case of residential uses where privacy and overlooking considerations arise. Schemes should also respect and not constrain the reasonable development potential of adjacent sites or the area as a whole in order that efficient use can be made of existing patterns of development, investment in infrastructure, and development potential.

## **DR2 Land use and activity**

**Where relevant to the proposal, all development will be required to:**

- 1. be located and designed so as to facilitate a genuine choice of modes of travel, including public transport, cycling and walking as alternatives to the private car;**
- 2. incorporate wherever possible a mix of compatible land uses and activities;**
- 3. be designed to deter crime and increase personal safety;**
- 4. not prejudice the amenity or continued use of adjoining land and buildings; and**
- 5. not constrain the future development of adjoining sites or prejudice the implementation of comprehensive development.**

## *Movement*

- 4.4.12 Schemes should in all cases ensure that suitable provision is made for access to and from the site, in accordance with the hierarchy of transport modes defined in the Local Transport Plan (LTP) which places emphasis on access by non-car modes. Suitable provision should be made within the development for cycling, walking and public transport, including good quality cycle parking to the Council's standards. The provision of attractive, safe, convenient and direct routes for pedestrians and cyclists is particularly important in order to encourage these modes, which should not be disadvantaged by vehicular access arrangements. Such routes should link readily into public rights of way and other movement corridors adjacent to the site, with full advantage taken of the opportunities for route enhancement. In accordance with the hierarchy, high priority should be given to ensuring access for all including those with disabilities in considering such aspects as parking provision, access to buildings and other design issues (see also policy T16).
- 4.4.13 This overall approach applies to both town and country. In the rural areas, the strategy of the Plan to focus development within selected settlements acting as local service centres recognises their relatively good accessibility by modes other than the private car for jobs, shopping and other services. Developments in or near such settlements should continue to provide positively and appropriately for public transport, cycling and walking in order to support this approach. Elsewhere, development in the rural areas is generally restricted although again any opportunities should be taken to promote the use of public transport, cycling and walking in order to reduce rural isolation for those without the use of a car.



**3. the infill gap is no more than 30 metres frontage.**

In considering such planning applications priority will be given to applications on previously developed land.

Developments on an appropriate infill plot larger than 30 metres frontage will be permitted for affordable housing where a proven local need has been successfully demonstrated.

Planning permission for the extension of dwellings approved under this policy will not be permitted. Planning permissions will be subject to a condition removing permitted development rights for the conversion of an ancillary garage into habitable accommodation, or for erection of any extension or detached buildings within the curtilage.

Proposals should be compatible with the housing design and other policies of the Plan and respect the character and scale of the settlement concerned.

Ashperton  
Bishopstone  
Brampton Bryan  
Bredenbury  
Bredwardine  
Burley Gate  
Dorstone  
Fromes Hill  
Garway  
Holme Lacy  
Hope under Dinmore  
Kimbolton  
Kings Caple  
Kingsthorpe  
Lingen  
Llangrove  
Longtown

Monkland  
Mordiford  
Much Birch  
Much Marcle  
Pencombe  
Peterstow  
Pontrilas  
Preston-on-Wye  
Richard's Castle  
Stoke Lacy/Stoke Cross  
Stoke Prior  
Stretton Sugwas  
Swainshill  
Upton Bishop  
Wellington Heath  
Woolhope  
Winforton

*Housing in the countryside outside settlements*

- 5.4.66 Outside the settlements identified in the above policies and in the wider countryside it is important that residential development is strictly controlled in order to protect the landscape and the wider environment. Residential development will thus be limited to that which meets an essential agricultural, forestry or other economic or farm diversification requirement or accompanies the establishment or growth of a rural enterprise; or which results from the conversion of an existing rural building, or which is linked to the replacement or extension of an existing dwelling. Housing units could also arise through the provision of sites for Gypsies and other Travellers (policy H12). Occupancy controls will be applied by means of planning condition or obligation to dwellings arising from the expansion of business enterprises, as well as to agricultural and forestry dwellings (policy H8). Wherever possible, proposals should be sited in a settlement and seek to make use of existing buildings through conversion and adaptation in preference to new development.

**H7 Housing in the countryside outside settlements**

Proposals for housing development outside Hereford, the market towns, the main villages and smaller settlements will not be permitted unless:

1. the development is clearly necessary in connection with agriculture or forestry and cannot be located in a settlement and complies with policy H8; or



2. it is a necessary accompaniment to the establishment or growth of a rural enterprise, and complies with policy H8; or
3. it results from the re-use of a rural building in accordance with policies HBA12 and HBA13; or
4. it is a replacement for, comparable in size and scale with and on the same site as an existing building with established residential use rights; or
5. it is an extension to an existing dwelling in accordance with policy H18; or
6. it is a site providing for the needs of Gypsies or other Travellers in accordance with policy H12; or
7. it is rural exception housing in accordance with policy H10.

**Development should be in accordance with the housing design and other policies of this Plan.**

*Agricultural and forestry dwellings and dwellings associated with rural businesses*

- 5.4.67 One of the exceptional circumstances in which residential development in the open countryside may be acceptable is where the demands of agriculture or forestry make it essential for farm or forestry workers to live at or in close proximity to their place of work. The need to make an exception to the general policy approach to development in the open countryside in order to meet agricultural requirements has long been recognised. There may also be occasions where the need arises to achieve living accommodation for the essential supervision and management of an existing non-agricultural business as part of rural regeneration. It will be important to ensure that these concessions are not abused since this could weaken the overall approach and lead to further pressure for sporadic development in the countryside.
- 5.4.68 Applications for planning permission for new dwellings advanced through this policy will be thoroughly scrutinised. In terms of agricultural or forestry dwellings it will be essential to establish that stated intentions to engage in agriculture are genuine, reasonably likely to materialise and capable of being sustained for a reasonable period of time. Where proposals are advanced in association with non-agricultural businesses it should also be established that the business could not exist without close and continual supervision, for example where a worker is required day and night for supervision, inspection or emergency responses. Security is not of itself sufficient to justify a dwelling but it may be a contributing factor in association with others.
- 5.4.69 All applications should be accompanied by full supporting information appraising the need, prepared by an appropriate and qualified person. Appraisals should include a functional assessment, showing why it is essential for the proper functioning of the enterprise for workers to be readily available at all times, and may also be supported by financial information to give further evidence of need and business viability. Businesses should have been established for at least three years, have been profitable for at least one year, be currently financially sound and have a clear prospect of remaining so. The supporting information should also clearly demonstrate why existing accommodation in the locality, either on the farm or within existing settlements, is unsuitable or unavailable, and explore any other means of meeting the need.
- 5.4.70 The provision of retirement homes for farmers cannot be used to justify a new dwelling on the basis of agricultural need. Provision will be directed to the settlements identified in policy H4 and policy H6.
- 5.4.71 Where the need for a dwelling is established on the basis of proven need, preference should be given to the use of suitable existing buildings through conversion. Where this is not possible, any new development should be sited so as to be well related to existing buildings, in order to avoid isolated or sporadic development in the open countryside. Proposals which are unusually large or expensive to construct in relation to the size and needs of the business or to the income it can provide in the long term will not be permitted.



2. it is a necessary accompaniment to the establishment or growth of a rural enterprise, and complies with policy H8; or
3. it results from the re-use of a rural building in accordance with policies HBA12 and HBA13; or
4. it is a replacement for, comparable in size and scale with and on the same site as an existing building with established residential use rights; or
5. it is an extension to an existing dwelling in accordance with policy H18; or
6. it is a site providing for the needs of Gypsies or other Travellers in accordance with policy H12; or
7. it is rural exception housing in accordance with policy H10.

**Development should be in accordance with the housing design and other policies of this Plan.**

*Agricultural and forestry dwellings and dwellings associated with rural businesses*

- 5.4.67 One of the exceptional circumstances in which residential development in the open countryside may be acceptable is where the demands of agriculture or forestry make it essential for farm or forestry workers to live at or in close proximity to their place of work. The need to make an exception to the general policy approach to development in the open countryside in order to meet agricultural requirements has long been recognised. There may also be occasions where the need arises to achieve living accommodation for the essential supervision and management of an existing non-agricultural business as part of rural regeneration. It will be important to ensure that these concessions are not abused since this could weaken the overall approach and lead to further pressure for sporadic development in the countryside.
- 5.4.68 Applications for planning permission for new dwellings advanced through this policy will be thoroughly scrutinised. In terms of agricultural or forestry dwellings it will be essential to establish that stated intentions to engage in agriculture are genuine, reasonably likely to materialise and capable of being sustained for a reasonable period of time. Where proposals are advanced in association with non-agricultural businesses it should also be established that the business could not exist without close and continual supervision, for example where a worker is required day and night for supervision, inspection or emergency responses. Security is not of itself sufficient to justify a dwelling but it may be a contributing factor in association with others.
- 5.4.69 All applications should be accompanied by full supporting information appraising the need, prepared by an appropriate and qualified person. Appraisals should include a functional assessment, showing why it is essential for the proper functioning of the enterprise for workers to be readily available at all times, and may also be supported by financial information to give further evidence of need and business viability. Businesses should have been established for at least three years, have been profitable for at least one year, be currently financially sound and have a clear prospect of remaining so. The supporting information should also clearly demonstrate why existing accommodation in the locality, either on the farm or within existing settlements, is unsuitable or unavailable, and explore any other means of meeting the need.
- 5.4.70 The provision of retirement homes for farmers cannot be used to justify a new dwelling on the basis of agricultural need. Provision will be directed to the settlements identified in policy H4 and policy H6.
- 5.4.71 Where the need for a dwelling is established on the basis of proven need, preference should be given to the use of suitable existing buildings through conversion. Where this is not possible, any new development should be sited so as to be well related to existing buildings, in order to avoid isolated or sporadic development in the open countryside. Proposals which are unusually large or expensive to construct in relation to the size and needs of the business or to the income it can provide in the long term will not be permitted.



- 5.4.72 Where need is not proven by an appraisal, or where an enterprise has not been established, planning permission for a mobile home or other temporary accommodation may be granted for a limited period. This is to allow the situation to be clarified and need to be proven, for instance through the longer-term establishment of the enterprise. The location and siting of temporary accommodation will itself be considered on the basis of permanent accommodation being provided. Where other agricultural development is being proposed at the same time as part of an overall scheme, siting of all development will be considered on a comprehensive basis.
- 5.4.73 Where planning permission is to be granted for an agricultural or forestry workers dwelling, this will be subject to a condition restricting the occupancy of the dwelling to those employed or last employed in agriculture or forestry. This is in order to ensure that the dwelling concerned is kept available to meet the needs of other farm businesses in the locality if no longer required by the original business, thus avoiding a proliferation of dwellings in the countryside. Consideration will also be given to similarly restricting the occupancy of other dwellings forming part of the farm unit in order to ensure that new proposals do not allow existing farm dwellings to be removed from the agricultural housing market. Such restriction could be achieved by condition or via a planning obligation. Where a new enterprise is concerned, the occupation of an agricultural dwelling will be prevented by condition until other works necessary for the establishment of the business have been completed. Dwellings proposed in association with non-agricultural businesses will be permitted only where there is a clear intention to provide employment opportunities and applicants accept that living accommodation will be bound to the business by planning condition or planning obligation.
- 5.4.74 It is important that the grant of planning permission for an agricultural dwelling is not subsequently exploited by the disposal of the property on the open market. This would undermine the basis of the policy and reduce the stock of low priced accommodation available to the farming community. Accordingly, applications for the removal of agricultural occupancy conditions will only be permitted where it can be shown that there were insufficient grounds for its original imposition, or that the dwelling is surplus to both current and foreseeable long term needs. Such needs include those of other farm and forestry operations in the locality as well as the original business. Evidence should be provided that genuine attempts have been made to market the property for a reasonable period at a value which reflects its occupancy restriction.

#### **H8 Agricultural and forestry dwellings and dwellings associated with rural businesses**

**Proposals for agricultural dwellings and dwellings associated with other rural businesses arising under policy H7 will only be permitted where it can be demonstrated that a long term genuine need exists for the dwelling as an essential part of a financially viable business, and that such need cannot be met in existing accommodation. Such dwellings should:**

- 1. make use wherever possible of existing buildings in preference to new development;**
- 2. be carefully sited within the unit or in relation to other dwellings;**
- 3. be of a scale and design which is appropriate to its surroundings; and**
- 4. be of a size commensurate with the established functional requirement.**

**Where the evidence of a long-term need for a dwelling is inconclusive or where the enterprise has not been established, planning permission for temporary accommodation may be granted for a maximum period of three years. Successive extensions will not normally be granted. Temporary accommodation should be carefully sited within the unit or in relation to other dwellings.**

**Planning permission for a new dwelling permitted in accordance with this policy will be subject to an occupancy condition. Agricultural occupancy restrictions may also be**



applied to any existing unfettered dwellings within the farm unit under the applicant's control and which need at the time of the application to be used in connection with the farm. In the case of new enterprises, any associated agricultural dwelling will be subject to a condition that the dwelling shall not be occupied until other works necessary for the establishment of the enterprise have been completed. Dwellings permitted in association with non-agricultural businesses will be bound to the business by condition or planning obligation.

Applications for the removal of agricultural occupancy conditions will only be permitted if it can be demonstrated that the original condition was unreasonably imposed or that there is no longer a current or foreseeable need for an agricultural dwelling either on the holding or in the locality, and that there has been a genuine and unsuccessful attempt to market the property at a realistic price.

## **5.5 Housing opportunity and choice**

### *Affordable housing*

- 5.5.1 For the purpose of the Plan and in reaching decisions on planning applications, affordable housing may be provided through one of two routes. The following definitions were agreed at regional level by the West Midlands Local Government Association (WMLGA) in 1999 for adoption in development plans, and give a clear guide to the mechanisms to be used in providing such housing:
- Subsidised housing provided by an organisation, such as a registered social landlord or local authority allocating on the basis of need. While such dwellings will normally be made available for rent, they may also include subsidised home ownership, such as shared ownership, where a registered social landlord or local authority retains a continuing interest
  - Low-cost market housing, helping to meet the needs of first time buyers, single people, older people, and other low income households, who cannot afford to rent or buy houses generally available on the open market.
- 5.5.2 Affordable housing under this definition can include both individual and multiple dwellings constructed under self-build projects funded by the registered social landlords and individual projects providing low-cost housing. In such cases planning conditions will be imposed to ensure that such housing is retained in perpetuity for future local housing needs.
- 5.5.3 Housing provided under these categories whether for rent or sale must be made available at a price level that can be sustained by local people in housing need. It is important to emphasise the distinctions between the roles of the different categories of affordable housing and not to treat one as a substitute for the other.
- 5.5.4 It is important to set clear criteria identifying what constitutes local housing need. This is in order that proposals for additional dwellings coming forward can be clearly shown to be contributing to this requirement - and thus to the aim of sustaining rural communities.
- 5.5.5 An affordable local housing need will be taken to exist when an individual is unable to compete on the open housing market and can clearly fulfil one or more of the following aspects of need within a parish:
- existing residents needing separate accommodation in the parish, such as those leaving tied accommodation or newly emergent households
  - people whose work provides important services to the parish and need to live closer to the local community
  - people who are not necessarily resident but have long standing links with the local community (older people needing to move back to a village for support)

### *Landscape character*

- 9.4.8 Herefordshire is considered to be the Midlands' most rural County and boasts a quality of landscape that is nationally acclaimed. Both visitor and resident alike value and cherish the variety, tranquillity and scenic beauty of the County's countryside. From the breathtaking views of the Black Mountain foothills and the Wye Valley Gorge to the rolling slopes of the Golden and Teme Valleys and the verdant low lying river meadows, Herefordshire encompasses an exceptional diversity of landscape beauty.
- 9.4.9 The majority of Herefordshire is not protected by national designation. Past policy has sought to give added protection through local designation to those areas considered to be the most attractive. More recently, Government guidance has stimulated a fundamental reassessment of local countryside designation. The UDP has been informed by a systematic assessment of landscape character rather than reliance on local designations. The Countywide Landscape Character Assessment undertaken by Herefordshire Council will accordingly be instrumental in the determination of development proposals. It is stressed that the Assessment essentially covers the wider countryside outside the recognised settlements. Inside each settlement, development proposals will need to be assessed in the context of that settlement's individual character and should seek to conform to the inherent settlement pattern. Other forms of assessment, such as village design statements and parish plans have a role to play in identifying internal settlement character.
- 9.4.10 The assessment identifies 22 distinctive landscape types within the County. Each is described in detail with additional information relating to design guidelines and management issues. The key attributes of each landscape type determine its distinctiveness both locally and regionally. Plan policy LA2, set out below, seeks to retain and enhance landscape character and to minimise the impact of landscape change, particularly that arising from new development. The intention is not to prevent necessary development, but to ensure that development respects landscape character. This will be achieved either by resisting inappropriate new development that would cause unacceptable adverse change to landscape character, or by accommodating it only if it can be demonstrated that landscape character can be protected adequately or that the proposed development can satisfactorily mitigate the impacts or compensate for them.
- 9.4.11 Summary details of the Landscape Character Assessment have been published separately as supplementary planning guidance (SPG) to complement and provide further detail for policy LA2. The guidance will help to guide and inform proposals for development. The assessment itself provides a detailed account of the natural, cultural and visual dimensions of landscape, classifying, describing and evaluating its character as well as promoting opportunities for conservation, restoration, enhancement and mitigation.
- 9.4.12 Policy LA2 refers to both key attributes and features. The indicators used to define key attributes are:
- topography
  - geology
  - soil type
  - land use
  - settlement pattern
  - tree cover character
  - tree cover pattern
  - spatial character
  - indicative ground vegetation
  - field boundaries
  - enclosure pattern
  - special characteristic features



Landscape features are acknowledged but not recorded in detail in the descriptions of specific landscape types within the assessment and the SPG. However they are considered to include:

- skylines and hill features including prominent views of such features
- mixed or broad-leaved woodlands with particular emphasis on ancient and ancient semi-natural woodlands
- areas of established hedgerow and tree patterns, including ornamental trees and orchards
- linear features of visual, archaeological, historic or landscape importance, including disused and/or dismantled railways/tramways, canals, water channels, hollow ways, green lanes and other disused former thoroughfares
- water features, especially river valleys and associated flood plains and including ponds, pools, dams, sluices, weirs, fords and water wheels
- sites of geological and geomorphological importance
- setting of settlements, including their individual form and road pattern
- the presence and pattern of historic landscapes including parks and gardens, commons, unimproved grassland and patterns of ridge and furrow
- natural drainage patterns.

9.4.13 Development proposals throughout the County will need to clearly demonstrate that their design and layout incorporate opportunities to conserve, restore and enhance distinctive landscape character and, where necessary and appropriate, any prominent landscape features. Analysis of condition and site sensitivity held within the Landscape Character Assessment will be utilised to review these proposals. Where specific sites and landscapes will tolerate change and where development is acceptable against other Plan policies, proposals must specify the enhancement and/or mitigation measures required for them to be successfully accommodated within the landscape. Proposals must also incorporate any necessary management and maintenance arrangements to ensure environmental benefits are maintained over time.

#### *Historic landscapes*

9.4.14 The Government advises that historic landscapes should be safeguarded from development that would destroy them, or significantly adversely affect their character. In conjunction with English Heritage, the Council has also completed a Historic Landscape Characterisation of Herefordshire landscape which provides a basis for the definition of historic landscape protection. The Historic Landscape Characterisation study is complementary to the Landscape Character Assessment. The two studies have differing perspectives – the latter being primarily concerned with visual qualities, whereas the former is concerned with the underlying historical processes.

9.4.15 Through the work of the Malvern Hills and Wye Valley AONB Joint Advisory Committees, the Council will seek to establish good practice in management work, aimed at the restoration and care of historic landscapes. Additionally, the Council will actively support the work of DEFRA and the work of the Hereford and Worcester Gardens Trust in this regard.

9.4.16 The Council wishes to work with the owners of designed historic landscapes to establish management plans, including the replanting or restoration of lost features, the ongoing care of existing woods, trees, hedges and designed planting, repair of walls and other built features and the creation, where appropriate, of new areas of landscaping. Where they have biodiversity interest and/or historic value, old and over mature trees and dead wood should be retained wherever possible.

## **LA2 Landscape character and areas least resilient to change**

**Proposals for new development that would adversely affect either the overall character of the landscape, as defined by the Landscape Character Assessment and the Historic Landscape Characterisation or its key attributes or features, will not be permitted.**

**Proposals should demonstrate that landscape character has influenced their design, scale, nature and site selection. Where appropriate, developers will be encouraged to restore degraded or despoiled landscapes to their inherent character.**

### *Setting of settlements*

- 9.4.17 There will be an inevitable pressure and requirement for new development to be located on the edge of Hereford, likewise the market towns and some rural settlements. Where such developments are either allocations of this Plan or are deemed to comply with Plan policies following planning applications, particular care will be required to assess landscape setting. Aided by the Council's aforementioned landscape assessments, new development proposals will be required to have minimal effect upon landscape setting and wherever possible will be required to restore landscape character. Certain important landscape features will need protection whilst important vistas into existing development are to be respected and conserved. Opportunities to create new open areas, urban parks, green wedges or tree lines particularly along main radial routes in conjunction with new development should be sought where such provision will enhance and complement landscape character and townscape, create access for recreation or benefit local amenity.

## **LA3 Setting of settlements**

**Development outside the built up areas of Hereford, the market towns and rural settlements, which is acceptable in terms of other Plan policies, will only be permitted where it would not have an adverse effect upon the landscape setting of the settlement concerned.**

**Important visual approaches into settlements, views of key buildings, open areas into development, green corridors, ridgelines and surrounding valued open countryside will be particularly protected and, where necessary, enhanced.**

**In appropriate new developments around existing settlements the creation of open space, urban parks, green wedges, and tree lines will be promoted where they complement and enhance landscape character and townscape.**

### *Protection of historic parks and gardens*

- 9.4.18 Local authorities are required to protect registered parks and gardens in the context of their historic interest and the contribution they make to the richness and quality of the landscape. These creative landscape features also support large, varied and long-standing habitats for much flora and fauna. Herefordshire has a number of such parks and gardens that have been recognised by English Heritage as being of national importance and are included on their Register of Parks and Gardens of special historic interest in England. They are listed within Appendix A and are identified on the proposals map. Many of the parks and gardens were created during the 18<sup>th</sup> and 19<sup>th</sup> Centuries to provide picturesque settings for large houses with characteristic groups of trees. Others such as Moccas, Brampton Bryan and Eastnor Park are remnants of medieval and earlier deer parks. Many of these parks feature boundary walls, ha-has or park paling and often include unique components such as gazebos and follies.
- 9.4.19 Many historic parks and gardens benefit from their setting, which contributes to the character and 'sense of place' of the designed landscape. Similarly, the designed visual envelope is pertinent to some parks and gardens where vistas and views out of the property to the 'borrowed' landscape were a fundamental element within the design.



**P11**

**The UDP will promote access to opportunities for social and economic betterment, and seek to reduce disparities between different areas of the County. It will promote urban and rural regeneration, which encourages greater self-sufficiency and balance in communities, and consolidates the function of existing settlements.**

**P12**

**The UDP will seek to strengthen and diversify the County's employment base by the identification of opportunities for new economic development which are energy efficient in terms of their overall location and transport requirements. It will give priority to the development of economic activities appropriate to the County's character, geographical orientation and indigenous resources.**

### **3.5 Development strategy**

- 3.5.1 In the light of the above, an overall approach to the location of development within the County has been formulated. To take forward the overall thrust of the Regional Spatial Strategy that development should be concentrated within existing settlements, the Plan adopts a sequential approach to the selection of locations for development.
- 3.5.2 The strategy identifies locations where development will be focussed. However, in all cases development proposals will be subject to an overall appraisal of their sustainability. This appraisal will have particular, though not exclusive regard to such factors as the availability of previously developed land and buildings; infrastructure capacity; the ability to build communities and the range of services provided; the location and accessibility of potential development sites by modes other than the car, the physical suitability of sites to accommodate the development proposed and a wide range of environmental factors. The appraisal also includes a sequential approach in recognition of flooding and flood risk.
- 3.5.3 With reference to flooding and flood risk, the Plan adopts a risk-based strategic approach to proposals for development in or affecting flood risk areas. Risk assessments of Plan proposals are outlined in chapter 4 Development Requirements and detailed in accompanying background papers.
- 3.5.4 In selecting locations for development, land within the urban areas which can be developed without adverse environmental impact has been selected as a first priority. Maximum use has been made of previously developed land, including making the most effective use of existing buildings through conversion and bringing vacant property back into use.
- 3.5.5 Where peripheral growth is needed to meet development requirements, locations have been selected in accordance with the guidance in the Regional Spatial Strategy and the need to create stable and balanced communities. Such urban extensions are seen as the next most sustainable option following the preference given above to previously developed land and buildings within the urban areas. Development is allocated with regard to the need to ensure a better balance between homes and jobs.

#### *Hereford*

- 3.5.6 Hereford forms the natural focus for the County, centrally located and at the hub of existing road and public transport networks. It offers a wide range of employment, leisure, educational and community services and opportunities. It is identified as a focus for development in the sub-region within the Regional Spatial Strategy. Hereford has accordingly been taken as the most sustainable location for the majority of new development, in line with the Spatial Strategy and the 'Planning for the New Millennium' public consultation.
- 3.5.7 Recognising limits on transport capacity in Hereford, the Plan's proposals emphasise the re-



use of previously developed land with only limited use of greenfield land. The Regional Spatial Strategy acknowledges that the A49 in Hereford is subject to increasing congestion and that this has implications for the fulfilment of the city's identified role as a sub-regional focus for development and regeneration. Further work on identifying the role of the foci is proposed as part of the partial review of the Strategy.

#### *Market Towns*

- 3.5.8 Away from Hereford, the amount of development being directed to the market towns of Leominster, Ross-on-Wye, Ledbury, Bromyard and Kington varies according to local factors:

**Leominster:** Leominster enjoys relatively good road and public transport links including rail. The proposals in the Plan include confirmation of a significant existing Local Plan proposal for employment development, and this is to be balanced by providing for additional housing to the west of the town, utilising previously developed land. Recent house building rates will broadly be maintained.

**Ross-on-Wye and Ledbury:** physical constraints, committed developments and the need to protect valued landscapes limit the potential for significant new development in both settlements. Nonetheless the proposals in the Plan for Ross-on-Wye will allow recent housebuilding rates to be maintained. The needs of the economy and the accessibility of this part of the County are acknowledged by allocating additional employment land at Ross-on-Wye. Housing development in Ledbury is largely limited to existing commitments and windfall sites.

**Bromyard and Kington:** the relatively small size of these settlements limits their potential to accept significant new development although they are expected to continue to grow at similar levels to that experienced in the recent past.

#### *Main villages*

- 3.5.9 Away from the County's principal urban areas, development - mainly for a limited amount of housing - will be directed to selected rural settlements. Such main villages have been identified on the basis of a range of criteria including population size, level of existing facilities and public transport availability.
- 3.5.10 It is important that such growth is sustainable. The selected settlements offer a range of community services and facilities, including shops, post offices, village halls and schools, and are considered to be capable of accommodating further growth without detriment to their infrastructure or overall character. The public transport criterion takes into account both journeys to work and trips for other purposes, and includes journeys to service centres both within and without Herefordshire. Trips are mainly by bus but also by rail.
- 3.5.11 Directing growth within the rural areas of the County on this basis facilitates a choice of means of transport to the employment and service opportunities available in Hereford and the market towns in the County. At the same time the role of public transport will be supported and strengthened. Development will comprise both infill and planned expansion, and will be provided for by both allocation and windfall allowance with attention given to the need to balance homes and jobs.
- 3.5.12 Not all main villages have been selected to accommodate further planned growth. This reflects factors such as constraints on further growth through infrastructure and environmental limitations, or where further significant development would harm the character of the settlement concerned. However windfall development will continue.

#### *Settlement boundaries*

- 3.5.13 Where development is to be encouraged it is important to ensure that it can be properly controlled. To do this, settlement boundaries have been defined around Hereford, the market



towns and the main villages. Development will be contained within the defined boundaries, other than in exceptional cases.

#### *Rural areas*

- 3.5.14 It is important that provision is made to allow existing rural communities across the County to be sustained, with adequate provision made for instance for affordable housing to meet local needs. This has to be balanced with the need to ensure that a sustainable pattern of development is achieved. The over-provision of homes in the rural areas can conflict with the aim of reducing the need to travel, particularly where local services and public transport opportunities are limited. It can also lead to the unnecessary loss of greenfield sites, pressure on small-scale infrastructure, and an imbalance between houses and jobs. In short, in the rural areas of the County development in excess of that required to meet local needs cannot be seen as sustainable.
- 3.5.15 Accordingly, it is an essential part of the strategy of the Plan that growth in settlements away from the urban areas or the main villages should be directed to the provision of lower cost market housing and offer the opportunity for affordable housing in smaller settlements.
- 3.5.16 New development in the open countryside, away from established settlements, will be strictly controlled and directed to supporting existing local employment opportunities and with those arising from diversification. Where development is to be permitted it will be required to be sustainable in overall terms.

### **3.6 Rural regeneration**

- 3.6.1 In the rural areas of the County the development strategy of the Plan has a wider dimension – the needs of the countryside. The issues of agricultural change and decline in employment opportunities highlighted in chapter 2 of the Plan point to the need for a co-ordinated response which will necessarily go beyond the scope of the planning system. This is confirmed by the resources that have been forthcoming for the rural areas of Herefordshire from European Structural Funds in the 1990s and which have been delivered by agencies working in partnership. This is set to continue with the establishment of the Herefordshire Community Strategy and funds available under Objective 2. While land use measures alone will not arrest rural decline, they are an important part of any rural regeneration strategy.
- 3.6.2 The Plan contributes to the task of maintaining the countryside as an attractive living and working environment in the following ways:
- ensuring through the Plan's development strategy that patterns of development are consistent with reducing the need to travel and supporting the use of public transport
  - confirming and protecting the established roles of villages and market towns as service centres, and ensuring that development is of high design quality, commensurate with local needs and consistent with settlement character
  - seeking the adequate provision of rural housing to meet local needs, including affordable housing
  - maintaining a healthy rural economy by facilitating small scale employment growth in existing settlements, by supporting the revival of agriculture and rural land management, and through encouraging the conversion of rural buildings for employment uses
  - continuing to protect the countryside for its landscape, biodiversity, agricultural, forestry, recreational and ecological value
  - encouraging leisure, tourism and recreation access and projects in the countryside.

### **3.7 General policies**

- 3.7.1 The following constitute the Plan's general policies for the development and use of land within the County for the period up to 2011. The policies have been developed in the light of:

- the Regional Spatial Strategy and national planning policy guidance
- the characteristics and key issues facing Herefordshire
- the priorities of the Council and the Herefordshire Partnership
- the Plan's vision and guiding principles
- the results of public consultation on the Project report, the 'Planning for the New Millennium' consultation, and views expressed through the UDP focus groups and the Herefordshire Community Strategy.

- 3.7.2 The policies embody the Plan's development strategy and constitute Part I of the Unitary Development Plan. The policies are repeated and justified within subsequent chapters. The order in which criteria are listed in the policies does not indicate any priority ranking.

#### *Sustainable development*

- 3.7.3 Policy S1 focuses the general sustainable development principles and criteria identified earlier on the UDP's remit for spatial strategy, land use and development in Herefordshire, grouping the principles and criteria around the following themes:

- protection, enhancement, management and re-use of natural and man-made resources
- planning, regulating and enabling necessary new development
- enabling people to meet their basic needs by more equitable access to resources and facilities.

It sets out the general means by which the UDP will promote sustainable development around these themes, each of the objectives, where relevant, being carried over to the other Part I policies and all the Part II policies, then elaborated as necessary. Chapter 4, Development Requirements, deals with specific sustainability considerations that all development will need to address.

#### *Resource management*

- 3.7.4 Herefordshire is particularly rich in natural and man-made resources that need protection from adverse development. Planning deals primarily with the physical environment and how it can meet social and economic needs. Essentially, this means managing physical resources, be they natural (land, water, air, biodiversity, energy) or man-made (landscapes, buildings, archaeology, infrastructure). Sustainability requires firstly the protection of existing resources to prevent their future loss or damage, so that they remain available for future use. Protection may range from preventing any change to the resource through to using the resource intensively but in a way that sustains it or regenerates it for future use. Special protection will be needed for non-renewable or irreplaceable resources, i.e. those that cannot be naturally regenerated or artificially recreated.
- 3.7.5 Normally, protection is not simply prevention of change but will involve some degree of planning and management of the resource to meet appropriate objectives. New development may involve some loss of resource (e.g. land no longer available for wildlife or growing food), but this change can be evaluated and, if acceptable, may be mitigated or compensated by alternative provision elsewhere. There may also be environmental gain, in that a development may create opportunities for enhancing resources (e.g. new habitat on previously urbanised land). Most development will involve compromise, but the UDP can set the framework for dealing as sustainably as possible with the physical resources involved in development at any location or on any specific site.
- 3.7.6 Re-use or recycling of previously-used resources is a case where planning can make a significant difference. National and regional guidance gives preference to re-use of previously-developed land, buildings and infrastructure ahead of developing on greenfield sites. The recycling approach can also extend to re-using buildings that are still serviceable or fit for purpose.



- 3.7.7 Complementary to direct protection and enhancement of resources is action to minimise waste arisings, maximise recycling of waste residues and prevent pollution of resources, and to treat their adverse effects in a sustainable way. The UDP can control land uses and development that directly or indirectly generate waste and cause pollution. It can also enable better design of development that prevents or minimises future waste and pollution.

*Planning of development*

- 3.7.8 The central, traditional role of development plans lies in setting the policy framework for regulating land use and development, but it can also be more positive and create the conditions that enable communities and individuals to contribute to more sustainable forms of development. Most of the Plan is based on quantitative assessments of needs - for housing, employment, open space, etc. - and the strategy for accommodating necessary development to meet those needs. The supply of development to meet Herefordshire's needs is partly encapsulated in the Regional Spatial Strategy. Within these parameters, the UDP has discretion to determine how much development will go where, and therefore to direct it to the more sustainable locations and sites, in line with sustainability criteria.
- 3.7.9 At the more detailed levels of planning - sites, buildings and infrastructure - the Plan can promote sustainable design, including specifications for location, siting, orientation, layout, scale, construction techniques, materials, access and circulation, energy generation and conservation, environmental gain, amenity, lighting and noise controls, safety and crime prevention, etc. With regard to movement, sustainable development emphasises convenience and accessibility over mobility, the latter having connotations of increasing opportunities for movement without necessarily considering the full environmental implications. Planning to locate related land uses (e.g. home/work) in closer proximity within balanced communities is one means of reducing the need to travel. Encouraging use of travel modes other than the private motor vehicle is one means of reducing congestion and pollution, and providing opportunities to enhance the environment of settlements. Many of these aspects of sustainability are dealt with in detail in chapter 4, Development Requirements, and in the Design and Development Requirements SPG, and will be the subject of development briefs prepared for the principal allocated development sites.

*Meeting social needs*

- 3.7.10 On the social side, sustainability criteria include opportunities for creating more self-sufficient communities - with homes, work and facilities in better balance and closer together, with production and distribution of basic living requirements more localised, and with reduced need to travel. The UDP can also influence greater social inclusion by helping to equalise access for all sectors of the community to the essentials of life, and to various services and facilities.
- 3.7.11 The scale of economic activity, development and associated infrastructure will depend on location and environmental conditions, and what constitutes sustainable economic development will not be uniform across the County. There is scope for medium to large industrial enterprises and other business developments to set up or expand in the towns or on specialised sites where access by all modes of transport is realistic. Much of the County is rural; and some rural areas are remote from towns. The issues here, such as high quality landscape, tranquillity and low accessibility, militate against larger-scale economic development, but there is considerable scope for smaller-scale, highly-sustainable economic activity, particularly local production and distribution of products and services derived from indigenous resources. Sustainable economic development here will often be linked to more sustainable approaches to rural land management. The UDP can help facilitate both urban and rural regeneration through its development policies.
- 3.7.12 An underlying sustainability principle for all development is to avoid or minimise adverse environmental impacts, or mitigate them or compensate for them where appropriate. Through its policy framework, the UDP can ensure that potential sustainability impacts of development are taken into account before development decisions are determined.



- 3.7.13 Policy S1 therefore encapsulates the general sustainability considerations to be applied to the development strategy and to the subsequent policies for determining planning applications. Proposers of development will need to follow through the individual considerations to the more detailed levels found in chapter 4 and the topic policies in subsequent chapters.

#### **S1 Sustainable development**

The Plan will promote development and land use change which in terms of its level, location, form and design contributes to the achievement of sustainable development. This means avoiding or minimising adverse impacts on the environment whilst providing necessary dwellings and employment together with appropriate infrastructure, services, transport and amenities.

Sustainable development will be promoted by:

1. protecting and enhancing the natural environment and historic heritage, especially irreplaceable assets;
2. respecting patterns of local distinctiveness and landscape character in both town and country, and safeguarding landscape quality and visual amenity;
3. conserving and minimising use of natural resources - particularly non-renewables - and encouraging resource enhancement and alternatives to the use of non-renewable resources;
4. regenerating or recycling previously-used resources – including previously-developed land, buildings and infrastructure – and perpetuating the use of existing infrastructure and facilities wherever possible;
5. increasing energy conservation, energy-efficiency, and energy generation from renewable sources;
6. minimising waste and pollution and adopting sustainable treatment systems;
7. directing necessary new development to locations, settlements and sites that best meet the appropriate sustainable development criteria;
8. requiring more sustainable design in all aspects of new development, redevelopment and regeneration;
9. ensuring that development respects the needs of local communities and encouraging greater self-sufficiency within local communities;
10. seeking more equitable access for all sectors of the community to opportunities for homes and livelihoods, natural and historic resources, health, recreation, amenity, education, and facilities and services;
11. supporting sustainable economic activity and high and stable levels of employment;
12. supporting more sustainable approaches to land use and land management in rural areas;
13. reducing the need to travel, securing safe and convenient accessibility between different land uses and maintaining, improving and integrating opportunities to move safely and conveniently by modes other than personal motor transport;
14. improving health and safety through reduced pollution and safer design of the built environment and landscaping;



15. avoiding or minimising adverse impacts of human activities, land uses and development on the physical environment.

*Guiding principles P1-P12*

## **S2 Development requirements**

The contribution that developments can make to a sustainable pattern of land use and development which respects the County's environmental resources will be secured by:

1. ensuring that new development achieves a high standard of design and layout which respects the townscape, landscape, ecological and historic character of the area; is sustainable in terms of its construction materials and methods, use of energy, water and other resources; and includes positive environmental benefits including landscaping schemes and provision of wildlife habitats;
2. promoting land use patterns and developments which favour mixed uses subject to amenity considerations, which respect the development potential of adjoining land, and which wherever possible secure the reclamation and beneficial use of degraded or contaminated land, environmental improvements and the reduction or removal of environmental conflicts;
3. ensuring that developments include suitable provision for public transport, cycling and walking, and that their likely effect in relation to the capacity and safety of both the trunk road and local highway network is taken fully into account;
4. ensuring that development is designed having full regard to and within environmental constraints, including groundwater protection, land stability, contamination, and the location of hazardous uses;
5. taking a risk-based precautionary approach to flood risk and the effects of flooding elsewhere, having regard to indicative flood risk in the major flood plains of the Rivers Wye and Lugg and their tributaries. Where development is proposed in locations at risk of flooding, it should be demonstrated that there are no reasonable options available in a lower risk category, consistent with other sustainable development objectives;
6. ensuring that development does not lead to an unacceptable risk to human health and safety, and that risks of pollution of water, air, or land, or in terms of noise or lighting, are minimised;
7. ensuring that development which would result in significant negative effects is avoided, but where environmental impact is unavoidable, requiring mitigation or compensation measures which provide benefits at least equal to any environmental loss;
8. taking proper account of the ability of existing and proposed infrastructure including foul drainage, water supply and water resources, and the highway network to serve the development proposed without undue environmental impact; and
9. making use of planning conditions and planning obligations to further the strategy of the Plan.

*Guiding principles P6, P7, P8, P9 and P10*