

**Sutton St. Nicholas Parish Council
Neighbourhood Development Plan 2011-2031**

Review

Basic Conditions Statement

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1. INTRODUCTION

- 1.1 When proposals to modify a Neighbourhood Development Plan are submitted to the local planning authority, they must be accompanied by a statement explaining how the modification proposals meet the requirements of paragraph 11 of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended). Paragraph 11 specifies the 'basic conditions' that must be met before the modifications can be made.
- 1.2 This Basic Conditions Statement has been prepared for Sutton St. Nicholas Parish Council to demonstrate that the Sutton St. Nicholas Neighbourhood Development Plan 2011-2031 as proposed to be modified (henceforth referred to as 'the NDP') meets legal requirements and the prescribed basic conditions.
- 1.3 The Statement confirms that:
- the legal requirements have been met (section 2).
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the NDP (section 3).
 - the making of the plan will contribute to sustainable development (section 4).
 - the making of the plan is in general conformity with the strategic policies contained in the relevant development plan, the Herefordshire Local Plan Core Strategy adopted in October 2015 (section 5).
 - the making of the plan will not breach and is otherwise compatible with retained EU obligations, and that the making of the NDP does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (section 6).

2. LEGAL REQUIREMENTS

- 2.1 The NDP relates to the area that was designated by Herefordshire Council as the Sutton St. Nicholas Neighbourhood Area on 15 January 2014. The NDP relates only to this Neighbourhood Area. No other Neighbourhood Development Plan has or is being made for the Neighbourhood Area.
- 2.2 Sutton St. Nicholas Parish Council is a qualifying body.
- 2.3 The NDP is a plan which sets out policies in relation to the development and use of land in the Neighbourhood Area and which has been prepared in accordance with the statutory provisions.
- 2.4 The NDP specifies the period for which it is to have effect (2011-2031).
- 2.5 The NDP does not include provision about development that is excluded development, such as mineral and waste matters, nationally significant infrastructure projects or other prescribed development under section 61K of the Town and Country Planning Act 1990.
- 2.6 Prescribed conditions have been met in relation to the NDP and prescribed matters have been complied with in connection with the modification proposals.

3. REGARD TO NATIONAL POLICIES AND ADVICE

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

¹ July 2021, replacing the previous version published in February 2019.

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

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

provides criteria-based planning policies to guide housing growth, economic development and environmental protection. The general conformity of the NDP with the strategic policies of the Local Plan Core Strategy is set out in more detail in section 5 below.

- NPPF paragraph 31: the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focussed tightly on supporting and justifying the policies concerned. In preparing the NDP, use has been made of published and other evidence sources, including surveys undertaken for the made Plan. Evidence base material is referred to throughout the NDP as required and is summarised in Appendix A of the Plan.

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

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

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

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

Table 1: National policies by NDP policy

NDP policy	Regard to national policies
<p>Policy SUT1 Sutton St. Nicholas settlement boundary</p> <p>A settlement boundary is defined for Sutton St. Nicholas as shown on Plan 4. Within the boundary, new housing and other development which is in accordance with other development plan policies will be supported. Local Plan policy RA3 or its replacement will apply to housing proposals outside the boundary.</p>	<p>Policy SUT1 is in accord with national policy to promote sustainable development in rural areas by locating housing where it will enhance and maintain the vitality of rural communities, and to avoid the development of isolated homes in the countryside (NPPF paras. 79 and 80). Sutton St. Nicholas is a settlement identified in the Local Plan Core Strategy for proportionate housing development (policy RA2); outside of settlements new housing is restricted to avoid an unsustainable pattern of development (policy RA3). The definition of a settlement boundary for the village implements this strategic approach.</p>
<p>Policy SUT2 Land at The Lane</p> <p>Land at The Lane, Sutton St. Nicholas is allocated for development for around 20 new dwellings. The site is shown on Plan 4. Proposals which meet the following requirements will be supported:</p> <ol style="list-style-type: none"> 1. the dwellings contribute to meeting the latest assessment of housing needs in accordance with policy SUT4, with a preference for 2- and 3-bedroom properties; and 2. 35% of the dwellings are provided as affordable housing which is to be available in perpetuity for those in local housing need; and 3. the scheme is designed to respect the setting of nearby designated and undesignated heritage assets; and 4. no development is proposed on the southern part of the allocation, which is to incorporate sustainable drainage and structural landscaping, designed and specified with a view to enhancing wildlife potential; and 5. all development is located within Flood Zone 1 in accordance with a Flood Risk Assessment which should accompany any planning application for the development of the site; and 6. pedestrian and cycle connectivity to village facilities is provided. 	<p>Policies SUT2 and SUT3 allocate land for housing in accord with NPPF para. 70. The allocations will help to promote sustainable development in a settlement identified in the Local Plan Core Strategy as a main focus for proportionate housing development. This strategic approach is in line with NPPF para. 79 which requires housing to be located where it will enhance or maintain the vitality of rural communities.</p> <p>The policies respond to local needs as to the type and size of dwellings required, including affordable housing, pursuant to NPPF para. 62 and 78. They will ensure that safe and suitable access can be achieved for all users and that appropriate account is taken of opportunities to promote sustainable transport modes, in accord with NPPF para. 110.</p> <p>Policy SUT2 additionally protects the setting of heritage assets (NPPF para. 190 a)) and directs</p>

NDP policy	Regard to national policies
<p>Policy SUT3 Land adjacent to The Linnings</p> <p>Land adjacent to The Linnings, Sutton St. Nicholas is allocated for development for around 18 new dwellings. The site is shown on Plan 4. Proposals which meet the following requirements will be supported:</p> <ol style="list-style-type: none"> 1. the dwellings contribute to meeting the latest assessment of housing needs in accordance with policy SUT4, with a preference for 2- and 3-bedroom properties; and 2. 35% of the dwellings are provided as affordable housing which is to be available in perpetuity for those in local housing need; and 3. pedestrian and cycle connectivity to village facilities is provided. 	<p>development away from areas at risk of flooding (NPPF para. 159).</p>
<p>Policy SUT4 Housing mix</p> <p>Housing proposals in the Neighbourhood Area should be able to demonstrate subject to viability considerations that they are of a tenure, size and type that contribute to meeting the latest assessment of housing needs, including in particular for 2- and 3-bedroom properties. Proposals to provide bungalows, live/work units and to enable self-build housing will also be supported.</p> <p>Where a site includes a mix of affordable and open market housing, the affordable units should be distributed across the site and be designed to be indistinguishable from the open market units. Proposals that seek to concentrate different types and tenures of homes in separate groups on a site will not be supported.</p>	<p>Policy SUT4 seeks to ensure that housing needs and requirements in the Neighbourhood Area will be met in accord with NPPF paras. 60 and 78. The policy is responsive to local circumstances and supports housing developments that reflect local needs as to size, type and tenure in accord with NPPF para. 62.</p>
<p>Policy SUT5 Householder development</p> <p>Proposals for alterations and extensions to existing dwellings or for ancillary development within residential curtilages will be supported where they are in accord with policy SUT16 and:</p> <ol style="list-style-type: none"> 1. the existing dwelling remains as the dominant element of built form on the curtilage, to which the proposed development is subordinate; and 2. the design of the new development respects and complements the existing dwelling in scale, height, form, materials and detailing. This does not preclude innovative proposals where these are of exceptional design quality; and 3. the proposal does not lead to an unacceptable adverse impact on the amenity of 	<p>Policy SUT5 seeks to ensure that householder development contributes to well-designed places (NPPF para. 130.)</p>

NDP policy	Regard to national policies
<p>neighbouring properties through overlooking, loss of privacy, reduction of outlook or daylight, or noise; and</p> <ol style="list-style-type: none"> 4. the proposal does not lead to an unacceptable loss of on-curtilage parking and does not create danger to pedestrians, cyclists or traffic by resulting in additional on-street parking; and 5. the proposal does not lead to an unacceptable loss of useable private amenity space. 	
<p>Policy SUT6 Small-scale employment</p> <p>Proposals for small-scale employment development consistent with village and rural area character will be permitted, including:</p> <ul style="list-style-type: none"> • extensions to existing dwellings to enable home working; • proposals for the re-development and change of use of redundant rural buildings for business use including for live/work units; • the small-scale extension of existing business premises; • the development and diversification of existing farm, forestry and other land-based rural businesses, including for food and drink processing and production; • rural tourism and leisure proposals, particularly those which serve to sustain, enhance and promote a better understanding of the local natural, historic and cultural environment. Larger-scale rural tourism and leisure proposals will not be supported if they would be of a disproportionate scale relative to their location. <p>Proposals should:</p> <ol style="list-style-type: none"> 1. not create unacceptable adverse impacts to the amenity of local residents, including through noise or air pollution including dust and odour, light levels, working hours, and increases in traffic; and 2. enable traffic generated to be safely accommodated on local roads without undue operational, safety or environmental consequences, including road widening or loss of hedgerows, and encourage active travel. 	<p>Policy SUT6 supports the sustainable growth and expansion of businesses in the Neighbourhood Area as set out in NPPF para. 84. It recognises that opportunities to meet business needs may arise outside existing settlements (NPPF para. 85).</p>
<p>Policy SUT7 Agricultural and forestry development</p> <p>Proposals for agricultural and forestry development requiring planning permission should be able to demonstrate that they meet the following requirements:</p> <ol style="list-style-type: none"> 1. the local highway network and the proposed means of vehicular access can cater safely 	<p>Policy SUT7 seeks to ensure that agricultural and forestry developments requiring planning permission are appropriate in terms of their impacts on and implications for traffic and transport, landscape, amenity, drainage and flood risk, and the natural and</p>

NDP policy	Regard to national policies
<p>for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and</p> <ol style="list-style-type: none"> 2. new buildings are sited with existing development wherever possible. Where this is not possible, new buildings should be sited to take advantage of natural landform and avoid isolated or skyline locations; and 3. any impacts on landscape character and visual amenity arising from the proposed siting, scale, design, colour and materials of development are acceptable, or can be satisfactorily mitigated by a landscaping scheme which is itself acceptable; and 3. there will be no undue loss of amenity to the occupiers of residential properties, including by way of external lighting, the design and siting of any building or installation, traffic, or noise and air pollution; and 4. there are no unacceptable impacts on biodiversity, heritage assets or the utility and enjoyment of public rights of way; and 5. surface water is acceptably and appropriately managed through sustainable drainage, with no adverse impact on local watercourses in respect of water quality, flood risk, pollution or soil erosion. <p>In assessing proposals, account will be taken of any necessary ancillary works and buildings including accommodation and amenity facilities for seasonal workers, and of any other existing, permitted or proposed similar developments in the locality so that cumulative impacts can be considered.</p>	<p>historic environments in accord with NPPF chapters 9, 14, 15 and 16.</p>
<p>Policy SUT8 Communications infrastructure</p> <p>Proposals for the development of mobile telecommunications infrastructure will be supported provided that:</p> <ol style="list-style-type: none"> 1. use is made of existing masts, buildings or other structures in preference to a new site wherever possible and technically appropriate; and 2. the siting, design and appearance of equipment including its height and colour serves to minimise the impact on visual amenity and on the character and appearance of the locality, taking account of any mitigation proposed; and 3. the proposal does not give rise to unacceptable adverse impacts on Sutton Conservation Area, other heritage assets and their settings, landscape character and key views. <p>Improvements to broadband infrastructure will be supported. New development should be</p>	<p>Policy SUT8 supports the expansion of electronic communications networks and provision of full fibre connections to new development in line with NPPF para. 114. It sets planning policy criteria which are in accord with NPPF para. 115.</p>

NDP policy	Regard to national policies
<p>served by a full fibre connection unless it can be demonstrated that this would not be possible, practical or economically viable, in which case suitable ducting should be provided from the site boundary to all properties to facilitate future provision.</p>	
<p>Policy SUT9 Community facilities</p> <p>The following community facilities will be protected, retained and enhanced in accordance with Local Plan policy SC1 or its replacement:</p> <ul style="list-style-type: none"> • Sutton St. Nicholas Village Hall. • St Michael’s Church. • St Nicholas’ Church. • The Golden Cross public house. <p>Proposals for new community facilities in and adjacent to the village and which are accessible by a choice of transport modes will be supported. Proposals should take account of the potential for the co-location of services in achieving viability. A village shop will be particularly welcomed.</p>	<p>Policy SUT9 supports the retention and development of accessible local services and community facilities, as part of supporting a prosperous rural economy in line with NPPF para. 84 d).</p> <p>It takes account of NPPF para. 93 which requires planning policies to plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments.</p>
<p>Policy SUT10 Renewable and low carbon energy</p> <p>Renewable and low carbon energy proposals (not including wind energy development) that will benefit the community will be supported where:</p> <ol style="list-style-type: none"> 1. the form of development is appropriate to its surroundings and is not of an industrial scale or nature such that this would be inappropriate to the rural character of the Neighbourhood Area; and 2. there is no substantial increase in traffic volumes including HGV traffic; and 3. there is no undue detrimental impact on visual and residential amenity, landscape character including the rural setting of Sutton St. Nicholas village, key views and biodiversity. <p>Community-led renewable and low carbon proposals where benefits can be demonstrated are encouraged.</p>	<p>Policy SUT10 supports suitable renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily in accord with NPPF para. 155 a).</p>
<p>Policy SUT11 Water quality in the River Lugg</p> <p>Development must not have an adverse effect on the River Wye Special Area of</p>	<p>Policy SUT11 has regard to national policy in NPPF chapter 15 which deals with conserving and enhancing the natural environment. It is in line with NPPF para.</p>

<p>NDP policy</p> <p>Conservation (SAC). In particular, planning permission will only be granted if clear and convincing evidence is provided which shows that the proposed development would not increase nutrient inputs to the SAC. This could include through the delivery of mitigation measures to make a proposal nutrient neutral. Reference should be made to Herefordshire Council's Phosphate Budget Calculator Tool and associated guidance.</p> <p>Development in the Neighbourhood Area that may result in the capacity of the Moreton-on-Lugg wastewater treatment works and/or the public sewerage network becoming overloaded will not be permitted. In either case, development will need to be phased or delayed until capacity becomes available through regulatory investment, or developer funding in advance of such investment.</p>	<p>Regard to national policies</p> <p>174 which requires planning policies to contribute to and enhance the natural and local environment by protecting sites of biodiversity value in a manner commensurate with their statutory status or identified quality, and by preventing new development from contributing to unacceptable levels of pollution.</p>
<p>Policy SUT12 Landscape character</p> <p>The siting, scale, layout and design of proposals should respect the surrounding landscape character as this is defined in the County Landscape Character Assessment, taking into account the location and context of the site and the nature of the proposal. Any landscaping proposals should be compatible with and serve to consolidate the established landscape character.</p> <p>Proposals should particularly respect the open countryside setting of Sutton St. Nicholas village. Development which would have an adverse effect upon the landscape setting of the village, considered in terms of the assessed landscape character, will not be permitted.</p>	<p>Policies SUT12 and SUT13 aim to ensure that development will be sympathetic to local character and history, including landscape setting (NPPF para. 130 c)), and recognise the intrinsic character and beauty of the countryside (NPPF para. 174 b)).</p>
<p>Policy SUT13 Key Views</p> <p>To be supported, development proposals must demonstrate that they have been sited, designed and are of such a scale that they do not materially harm the following Key Views (KV), as shown on Plan 5 and the accompanying photographs:</p> <p>KV1: the view from Sutton Hill looking south towards the village.</p> <p>KV2: the view from Ridgeway Road/public footpath 11 looking south-west towards the River Lugg.</p> <p>KV3: the view from Ridgeway Road looking south-east towards the River Lugg.</p> <p>KV4: the view from Ridgeway Road looking north towards Bodenham.</p> <p>KV5: the view from The Rhea looking west towards the River Lugg.</p> <p>KV6: the view from public footpath 13 at Sutton Court looking south towards the River Lugg.</p>	

NDP policy	Regard to national policies
<p>KV7: the view from public footpath 3 west of Watery Lane looking west towards the River Lugg. KV8: the view from St. Michael’s churchyard looking west over the Lugg valley. KV9: the view from Sutton St. Nicholas public footpath 1 Busy Hill looking south over the Lugg Valley. KV10: the view from Sutton St. Nicholas public footpath 2 on Sutton Walls looking south-east towards the village. KV11: the view from Marden bridleway 29 east of Sutton Walls looking south-east towards the village.</p> <p>Where a development proposal within the Neighbourhood Area lies within sight of one of the above Key Views, a Landscape and Visual Impact Assessment or similar study should be provided to demonstrate that the levels of effects are acceptable, and that the scheme has been sited and designed sensitively and appropriately reflecting, respecting, and where possible, enhancing its landscape context.</p>	
<p>Policy SUT14 Local Green Space and public open space</p> <p>The following sites as shown on Plan 6 are designated as Local Green Space:</p> <ul style="list-style-type: none"> • LGS1: land at the old Post Office Orchard • LGS2: land west of Upper House Farm. <p>Development of Local Green Space will not be permitted unless very special circumstances arise which outweigh the need for protection.</p> <p>Proposals that would result in the loss of public open space shown on Plan 6 will not be permitted unless it can be satisfactorily demonstrated that the open space is surplus to requirements, is replaced by equivalent or better provision in terms of quantity and quality in a suitable location or the development is for alternative sports or recreational provision, the needs for which clearly outweigh the loss.</p>	<p>Policy SUT14 provides for the designation of Local Green Space in accord with the provisions of NPPF paras. 101-103. The comprehensive range of policies included in the NDP makes it clear that the designations are consistent with the local planning of sustainable development and complement investment in jobs, homes and other essential services. All the designations are capable of enduring beyond 2031. The policy also protects existing open space in terms which are in accord with NPPF para. 99.</p>
<p>Policy SUT15 Green infrastructure</p> <p>Green infrastructure including priority habitats will be protected and enhanced. Opportunities will be sought for the provision of new elements of green infrastructure and for the strengthening of the green infrastructure network. Proposals should:</p> <ol style="list-style-type: none"> 1. identify and retain existing green infrastructure within the site such as trees, 	<p>Policy SUT15 seeks to protect and enhance green infrastructure at both the site and ecological network scales, pursuant to NPPF paras. 131, 174 d), 175, and 179.</p>

NDP policy	Regard to national policies
<p>hedgerows and water features, providing for enhancement wherever possible; and</p> <ol style="list-style-type: none"> 2. incorporate new green infrastructure and deliver ecological enhancements; and 3. maintain, restore and where possible enhance the contribution of habitats to the coherence and connectivity of the Herefordshire Ecological Network. 	
<p>Policy SUT16 Building design</p> <p>Development proposals should maintain and enhance the local distinctiveness of the Neighbourhood Area and achieve a high quality of design by:</p> <ol style="list-style-type: none"> 1. being in character with adjoining development with respect to siting, height, scale, architectural detailing, density, building to building distances, private amenity space, means of enclosure, landscaping and the use of materials; and 2. incorporating sustainability measures including energy and water conservation, renewable energy generation, and provision for the recycling of waste, cycle storage, and electric vehicle charging; and 3. avoiding creating unacceptable impacts on the amenity of neighbouring property including as a result of the volume and nature of traffic generated, noise, dust or odour. External property and street lighting should avoid undue adverse impacts on amenity, wildlife and dark skies; and 4. being safely accessible from the highway network without undue impacts on the character of the locality and on biodiversity which cannot be mitigated, not result in additional on-road parking, and take every available opportunity to promote walking and cycling. 	<p>Policy SUT16 seeks to achieve good design reflecting NPPF chapter 12 particularly para. 130. It also supports designs promoting a high level of sustainability (NPPF para. 134) and the reduction of greenhouse gas emissions (NPPF para. 151).</p> <p>The policy also aims to promote sustainable transport (NPPF chapter 9) and to prevent new and existing development from contributing to or being affected by unacceptable levels of noise and light pollution (NPPF para. 185).</p>
<p>Policy SUT17 Heritage</p> <p>Development proposals should protect, conserve and where possible enhance the historic environment of the Neighbourhood Area. In considering the impact of proposed development on heritage assets, appropriate account will be taken of their significance (including any contribution made by their setting) by:</p> <ol style="list-style-type: none"> 1. giving great weight to conserving designated heritage assets; and 2. preserving or enhancing the character or appearance of the Sutton Conservation Area, having regard to the significant contribution that farmhouses, barns and other agricultural buildings make to its special interest; and 	<p>Policy SUT17 has regard to national policy in NPPF chapter 16 which deals with conserving and enhancing the historic environment.</p>

NDP policy	Regard to national policies
<ol style="list-style-type: none"> 3. balancing the scale of any harm or loss against the significance of non-designated heritage assets, including Sutton Court unregistered park and garden, archaeological sites, and buildings of local interest; and 4. requiring development proposals to be accompanied by Heritage Impact Assessments where the significance of heritage assets may be affected. Where proposals may affect archaeological interests, an appropriate desk-based assessment and where necessary a field evaluation should be provided; and 5. ensuring that proposals for the redevelopment, alteration or extension of historic farmsteads and agricultural buildings are sensitive to their distinctive character, materials and form. 	

4. ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT

4.1 The making of the Sutton St. Nicholas NDP will contribute to the achievement of sustainable development.

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

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

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

4.4 Section 3 of this Statement explains how the NDP has had regard to national policy and advice, and thus how it will contribute to the achievement of sustainable development.

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

4.6 Table 2 sets out how the NDP will help achieve sustainable development, by contributing to each of the three national objectives through its Vision, objectives, planning policies and Community Actions.

Table 2: Sustainable development

Objective	How the Sutton St. Nicholas NDP contributes
Economic	<p>The Vision includes that by 2031 Sutton St. Nicholas will be a sustainable and thriving local community, with new development in place to meet requirements for housing, jobs and local services. Relevant objectives are to provide for new housing to meet Local Plan requirements, to enable new employment proposals, to manage larger-scale agricultural and forestry development, and to support new and improved communications infrastructure.</p> <p>Plan policies directly address the economic objective by:</p> <ul style="list-style-type: none"> • Allocating land for new housing (policies SUT2 and SUT3). • Supporting small-scale employment development (policy SUT6). • Providing planning policy criteria for new development (policy SUT16) including for agricultural and forestry development (policy SUT7) so that those bringing proposals forward can do so with confidence. • Supporting the development of communications infrastructure (policy SUT8). <p>Other NDP policies support the economic objective indirectly. Policies addressing the social objective help to maintain and promote a thriving rural community and thus demand for goods and services. Policies addressing the environmental objective serve to protect, conserve and enhance the built and natural environments, providing a stable basis for economic activity.</p> <p>As well as its planning policies, the NDP sets out Community Actions which the Parish Council will undertake or otherwise support which contribute to the economic objective. These include working with Herefordshire Council and others on aspects of local highways and transport provision, promoting and supporting improvements to communications and broadband infrastructure, and supporting the establishment of a village shop.</p>
Social	<p>The Vision includes that by 2031 Sutton St. Nicholas will be a sustainable and thriving local community, with new development in place to meet requirements for housing, jobs and local services. Relevant objectives are to enable new housing of a size, type and tenure relevant to the community, to maintain and develop community facilities, and to identify community needs and infrastructure to be met through Community Actions.</p> <p>Plan policies directly address the social objective by:</p>

Objective	How the Sutton St. Nicholas NDP contributes
	<ul style="list-style-type: none"> • Allocating land to meet housing requirements (policies SUT2 and SUT3). • Requiring new dwellings to meet housing needs in terms of their tenure, size and type (policy SUT4). • Requiring development to avoid undue impacts on the amenity of neighbouring properties (policies SUT5 to SUT7, SUT16). • Supporting the retention, enhancement and new provision of community facilities (policy SUT9). • Maintaining local distinctiveness and fostering community identity by protecting landscape character, key views, Local Green Space, public open spaces, green infrastructure and heritage assets (policies SUT12 to SUT15, SUT17). <p>Other NDP policies support the social objective indirectly. Policies addressing the economic objective support proposals for small-scale employment development. Policies addressing the environmental objective serve to protect the Neighbourhood Area’s built and natural environments which contributes to the sense of place, character and community identity.</p> <p>As well as its planning policies, the NDP sets out Community Actions which the Parish Council will undertake or otherwise support which contribute to the social objective, including working with Herefordshire Council and others on aspects of road safety, public transport and rights of way; promoting and supporting improvements to communications and broadband infrastructure, maintaining and improving community information and communication, and seeking new public open space and the enhancement of existing play areas and open spaces.</p>
Environmental	<p>The Vision includes that by 2031 the distinctive local environment of the village and surrounding countryside will be robustly and successfully safeguarded. Relevant objectives are to define a village settlement boundary; to support proposals for renewable and low carbon energy generation; to avoid adverse effects on the River Wye Special Area of Conservation; to protect and enhance landscape character, key views, green spaces and infrastructure, and heritage assets; and to ensure development is well-designed, sustainable and makes a positive contribution to townscape and landscape.</p> <p>Plan policies directly address the environmental objective by:</p> <ul style="list-style-type: none"> • Defining a settlement boundary for Sutton St. Nicholas village (policy SUT1), thereby promoting a sustainable pattern of development. • Supporting proposals for renewable and low carbon energy generation (policy SUT10). • Requiring development proposals to demonstrate that they will not have an adverse effect on the River Wye Special Area of Conservation (policy SUT11). • Protecting and where relevant and appropriate enhancing landscape character, key views, historic character, Local Green Space, public open space, green infrastructure and heritage assets (policies SUT12 to SUT15, SUT17). • Providing planning policy design criteria for new development (policy SUT16) to deliver environmentally sustainable

Objective	How the Sutton St. Nicholas NDP contributes
	<p data-bbox="488 161 658 188">development.</p> <p data-bbox="450 233 2013 331">Other NDP policies support the environmental objective indirectly. Policies addressing the social objective help to promote the health, social and cultural well-being of the community by making use of the local environment in varying ways. Policies addressing the economic objective support the continued delivery of goods and services locally, reducing the need to travel.</p> <p data-bbox="450 376 2018 475">As well as its planning policies, the NDP sets out Community Actions which the Parish Council will undertake or otherwise support which contribute to the environmental objective, including actions to foster public transport improvements and to promote walking and cycling as alternatives to use of the private car.</p>

5. GENERAL CONFORMITY WITH STRATEGIC POLICY

- 5.1 The Sutton St. Nicholas NDP is in general conformity with the strategic policies contained in the development plan for the area, namely the Herefordshire Local Plan Core Strategy. This has been confirmed by Herefordshire Council in their Regulation 14 consultation response. Table 3 sets out how each of the NDP's policies align with the strategic policies where relevant. The Core Strategy can be seen at https://www.herefordshire.gov.uk/info/200185/local_plan/137/local_plan_-_core_strategy/2.
- 5.2 Remaining saved policies of the Herefordshire Unitary Development Plan are not relevant to the NDP.

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

NDP policy	Local Plan strategic policies
Policy SUT1 Sutton St. Nicholas settlement boundary	Policy SUT1 is in general conformity with strategic policies RA2 <i>Housing in settlements outside Hereford and the market towns</i> and RA3 <i>Herefordshire's countryside</i> . It adds local detail by defining a settlement boundary for Sutton St. Nicholas village.
Policy SUT2 Land at The Lane	Policies SUT2 and SUT3 are in general conformity with strategic policies RA2 <i>Housing in settlements outside Hereford and the market towns</i> , H1 <i>Affordable housing</i> , SD1 <i>Sustainable design and energy efficiency</i> , and LD4 <i>Historic environment and heritage assets</i> . They add local detail by allocating land for new housing in Sutton St. Nicholas.
Policy SUT3 Land adjacent to The Linnings	
Policy SUT4 Housing mix	Policy SUT4 is in general conformity with strategic policy H3 <i>Ensuring an appropriate range and mix of housing</i> . It adds detail by setting out the type and size of housing that will be required to meet local needs.
Policy SUT5 Householder development	Policy SUT5 is in general conformity with strategic policy SD1 <i>Sustainable design and energy efficiency</i> , adding local detail on relevant planning considerations.
Policy SUT6 Small-scale employment	Policy SUT6 is in general conformity with strategic policies RA4 <i>Agricultural, forestry and rural enterprise dwellings</i> , RA5 <i>Re-use of rural buildings</i> , RA6 <i>Rural economy</i> , and E3 <i>Homeworking</i> . It adds local detail on the type and scale of employment development that is sought and the planning requirements to be met.
Policy SUT7 Agricultural and forestry development	Policy SUT7 is in general conformity with strategic policies MT1 <i>Traffic management, highway safety and promoting active travel</i> , RA6 <i>Rural economy</i> , LD1 <i>Landscape and townscape</i> , LD2 <i>Biodiversity and geodiversity</i> , and SD3 <i>Sustainable water management and water resources</i> . It adds local detail by providing a

NDP policy	Local Plan strategic policies
	specific policy for agricultural and forestry development in the Neighbourhood Area.
Policy SUT8 Communications infrastructure	No relevant strategic policies identified.
Policy SUT9 Community facilities	Policy SUT9 is in general conformity with and adds local detail to strategic policy SC1 <i>Social and community facilities</i> by identifying existing community facilities.
Policy SUT10 Renewable and low carbon energy	Policy SUT10 is in general conformity strategic policy SD2 <i>Renewable and low carbon energy</i> . It adds local detail by providing a specific policy on renewable and low carbon energy proposals, addressing issues of concern in the Neighbourhood Area.
Policy SUT11 Water quality in the River Lugg	Policy SUT11 is in general conformity with strategic policy SD4 <i>Wastewater treatment and river water quality</i> . It adds local detail to ensure that development proposals in the Neighbourhood Area demonstrate nutrient neutrality in respect of the River Lugg, part of the River Wye Special Area of Conservation.
Policy SUT12 Landscape character	Policy SUT12 is in general conformity with and adds local detail to strategic policy LD1 <i>Landscape and townscape</i> , addressing the landscape setting of the village.
Policy SUT13 Key Views	No relevant strategic policies identified.
Policy SUT14 Local Green Space and public open space	Policy SUT14 is in general conformity with strategic policies OS1 <i>Requirement for open space, sport and recreation facilities</i> , OS2 <i>Meeting open space, sports and recreation needs</i> and OS3 <i>Loss of open space, sports or recreation facilities</i> . It designates Local Green Space in the Neighbourhood Area.
Policy SUT15 Green infrastructure	Policy SUT15 is in general conformity with strategic policy LD3 <i>Green infrastructure</i> . It adds local detail in respect of components of green infrastructure in the Neighbourhood Area.
Policy SUT16 Building design	Policy SUT16 is in general conformity with strategic policies SS6 <i>Environmental quality and local distinctiveness</i> and SD1 <i>Sustainable design and energy efficiency</i> . It adds detail to ensure that the design of new housing is locally-appropriate.
Policy SUT17 Heritage	Policy SUT17 is in general conformity with strategic policy LD4 <i>Historic environment and heritage assets</i> . It adds local detail in respect of designated and non-designated heritage assets in the Neighbourhood Area.

6. EU OBLIGATIONS

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

Table 4: EU obligations

EU Obligation	Compatibility of the Sutton St. Nicholas NDP
Strategic Environmental Assessment Directive	<p>Strategic environmental assessment of the NDP has been undertaken by Herefordshire Council. An initial screening opinion in February 2022 concluded that the NDP would require further assessment for the purposes of Strategic Environmental Assessment. A Scoping Report was prepared in February 2022 and published for consultation. Subsequently, a SEA of the draft Plan was undertaken in April 2022 and the resultant Environmental Report was published for consultation alongside the draft Plan.</p> <p>The Environmental Report concludes in its non-technical summary that the NDP is in general conformity with both national planning policy contained in the NPPF and strategic policies set within the Herefordshire Local Plan (Core Strategy). SEA paragraph 6.8 reports that the cumulative effect of the NDP will contribute to the achievement of the SEA objectives. Paragraph 6.9 sets out that none of the NDP policies are considered to be in direct conflict with or propose greater levels of growth and development than strategic policies contained in the Local Plan (Core Strategy), which themselves have undergone a full Sustainability Appraisal.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Environmental Report (August 2022). Minor wording modifications were made to three policies. These were re-assessed with only minor impact on the baseline found.</p> <p>The NDP has been prepared in conjunction with a formal process of environmental appraisal in accordance with the SEA Directive, whose requirements have been met.</p>
Habitats Directive	<p>A process of assessment of the NDP pursuant to the Habitats Directive has been undertaken by Herefordshire Council. Initial screening in February 2022 found that the River Lugg runs through the Neighbourhood Area and the Parish is within the hydrological catchment of the River Wye (including River Lugg) Special Area of Conservation (SAC). The initial screening concluded that European sites will need to be taken into account in the NDP and that a full Habitats Regulation Assessment would be required.</p> <p>An Appropriate Assessment of the draft NDP was undertaken by Herefordshire Council and published in April 2022. This concluded that there will not be a significant effect on the integrity of the River Wye (including River Lugg) SAC when the</p>

EU Obligation	Compatibility of the Sutton St. Nicholas NDP
	<p>mitigation and avoidance measures have been taken into account.</p> <p>Amendments to the draft Plan following regulation 14 consultation were assessed in a further Report in August 2022. The Appropriate Assessment confirms that there will not be a significant effect on the integrity of the River Wye (including River Lugg) SAC when the mitigation and avoidance measures have been taken into account.</p> <p>The NDP has been prepared in conjunction with an Appropriate Assessment in accordance with the Habitats Directive, whose requirements have been met.</p>
Water Framework Directive	<p>The Local Plan Core Strategy (policies SD3 and SD4) requires that development proposals are considered against Water Framework Directive objectives, including that development should not undermine the achievement of water quality targets. These strategic policies are referenced in Table 3 above as policies with which relevant NDP policies are in general conformity with. NDP policy SUT11 requires that proposals draining to the River Wye are nutrient neutral in terms of their effect on the River Wye Special Area of Conservation. The Water Framework Directive has also been taken into account within the objectives used for the SEA of the NDP and as a source of baseline information and targets.</p> <p>The NDP is considered to be compatible with the Water Framework Directive.</p>
European Convention on Human Rights	<p>The NDP is fully compatible with the European Convention on Human Rights, transposed into UK law by the Human Rights Act 1998. It has been prepared within the existing framework of statute, national planning policy and guidance, and County-level strategic planning policies. In accordance with established process, its preparation has included consultation with the local community and it is subject to independent examination. The policies within the Plan are considered to comply with the requirements of EU obligations in relation to Human Rights.</p>