

Marden
Neighbourhood Development Plan Review
2021 – 2031



Basic Conditions Statement
February 2021



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1. Introduction

1.1 Planning Practice Guidance (Paragraph: 065 Reference ID: 41-065-20140306)¹ sets out that only a draft Neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B of the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. A draft neighbourhood plan or order meets the basic conditions if—

- *having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan.*
- *the making of the plan contributes to the achievement of sustainable development.*
- *the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area.*
- *the making of the neighbourhood plan does not breach and is otherwise compatible with European Union (EU) obligations.*

1.2 Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:

- *the making of the neighbourhood plan is not likely to have significant effects on a European site or a European offshore marine site either alone or in combination with other plans or projects and*
- *having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to the examination of the NDP as it is not about a neighbourhood development order).*

¹ <https://www.gov.uk/guidance/neighbourhood-planning--2#basic-conditions-for-neighbourhood-plan-to-referendum>

1.3 A further Basic Condition was added by legislation on 28 December 2018. The Neighbourhood Planning (General) Regulations 2012 para 1 states:

- *In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act - The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.*

1.4 This Basic Conditions Statement sets out how the Marden NDP Review has been prepared to meet the basic conditions. It has been prepared as a supporting document for consideration by the NDP Independent Examiner.

2. Legal Requirements

2.1 The Submission Plan is being submitted by a qualifying body.

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

2.2 What is being proposed is a neighbourhood development plan.

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

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

The proposed Neighbourhood Plan states the period for which it is to have effect. That period is from 2021 to 2031 (from the current year and referring to the same period as the adopted Herefordshire Local Plan Core Strategy 2011 - 2031).

2.4 The policies do not relate to excluded development.

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

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

The Neighbourhood Plan proposal relates to the designated Marden Neighbourhood Area and to no other area. There are no other Neighbourhood Plans relating to that neighbourhood area. The Designated Neighbourhood Plan Area has the same boundary as that of the Parish at the time of the designation and is shown on Map 1 in the NDP.

3. Basic Conditions

- 3.1 a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan.

The Marden Neighbourhood Development Plan Review has been prepared having appropriate regard to the policies set out in the revised National Planning Policy Framework (NPPF, February 2019)².

Note - only those policies and sections in the NPPF that are relevant to the NDP are addressed below.

2. Achieving Sustainable Development

Paragraph 1 of the NPPF explains that '*The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied.*' Paragraph 7 sets out that '*The purpose of the planning system is to contribute to the achievement of sustainable development.*' The planning system has 3 overarching objectives to achieve sustainable development (paragraph 8): an economic objective, a social objective, and an environmental objective. These should be delivered through the preparation and implementation of plans (paragraph 9).

The NDP includes two policies which support small scale development within the defined settlement boundaries of the defined settlements in the Parish (as listed in the Core Strategy) and contributes to the achievement of sustainable development.

Table 1 sets out how the Marden NDP Review delivers the 3 overarching Objectives:

² <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Table 1 Delivering Sustainable Development

NPPF Overarching Objectives	Marden NDP Review Policies and Proposals
<p><i>a) 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;</i></p>	<p>Marden Parish is located in Herefordshire, north of Hereford.</p> <p>The objectives include Objective 1 which is to focus primary development in the main village of Marden and Objective 2 which is to support small scale development in the other defined settlements. Settlement boundaries are provided for all the villages to concentrate development within and around the built up areas.</p> <p>Objective 6 welcomes new employment opportunities in the parish and supports the enhancement of existing employment opportunities.</p> <p>Policy M7 supports small scale employment related development within the parish and Policy M8 seeks to support, enhance, and protect existing employment opportunities.</p>
<p><i>b) a social objective – to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future</i></p>	<p>The NDP Review updates the previous made NDP which included several site allocations for new housing in Marden. Two of these have now been developed, other sites also have planning consent for dwellings and are noted as a commitment in the NDP Review. The NDP seeks to allocate three further sites – 2 in Marden and 1 in Litmarsh.</p>

<p><i>needs and support communities' health, social and cultural well-being; and</i></p>	<p>The indicative housing growth target of 18% for Herefordshire Rural Housing Market Area equates to 104 new dwellings in the Parish up to 2031. This has been met and exceeded.</p> <p>The NDP Review therefore supports small scale new housing development within the settlement boundaries of the 4 settlements, guided by Policies M1: Scale and type of new housing development in Marden village, and M2: Scale and type of new housing development in designated hamlets. Policy M4 supports extension to dwellings subject to criteria and Policy M5 seeks to ensure an appropriate range of tenures, types, and sizes of housing in the parish.</p> <p>The NDP identifies 6 local green spaces (Policy M10). Policy M6 identifies community facilities for protection.</p>
<p><i>c) an environmental objective - to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</i></p>	<p>The NDP area has a distinctive local character and Policy M3: General design principles sets out the design principles for future development in the parish. Policy M10 seeks to protect Local Green Spaces. Policy M11 seeks to protect the landscape character of the parish.</p> <p>Policy M14 also seeks to minimise light pollution in the parish.</p> <p>Policy M12 seeks to address flood risk and surface water run-off issues.</p>

The presumption in favour of sustainable development is explained in relation to plan making in paragraph 11:

11. Plans and decisions should apply a presumption in favour of sustainable development. For **plan-making** this means that:

- a) *plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- b) *strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁵, unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type, or distribution of development in the plan area⁶; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

The Marden NDP Review takes a positive and balanced approach to development, recognising that some limited housing development which meets local needs would be acceptable, subject to addressing the criteria set out in the NDP policies.

Paragraph 13 of the NPPF explains that the application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.

3. Plan Making.

In Section 3 Plan Making, the NPPF sets out that 6 principles that plans should address.

Table 2 sets out how the Marden NDP Review addresses each of these in turn.

Table 2 Plan Making

NPPF Plan Making	Marden NDP Review
a) be prepared with the objective of contributing to the achievement of sustainable development;	The NDP has been prepared to contribute to sustainable development; NDP Policies M1 and M2 set out the

	<p>development strategy to guide development to within the settlement boundaries of the 4 main villages. The NDP Review has a positive approach to development, supporting an appropriate mix of new housing development to meet local needs in the parish. Policy M3 provides general design principles for future development. Table 1 above sets out how the Plan's objectives, policies and proposals address economic, social, and environmental objectives.</p>
<p>b) be prepared positively, in a way that is aspirational but deliverable;</p>	<p>The NDP has been prepared positively. The Parish Council has worked hard to ensure policies are positively worded to 'support' and 'encourage' suitable and appropriate development.</p> <p>The NDP Review is underpinned by technical site assessment reports.</p>
<p>c) be shaped by early, proportionate, and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;</p>	<p>The work on the NDP Review has been led by a Steering Group of parish councillors and residents.</p> <p>The accompanying Consultation Statement states that the decision to undertake an interim review of the Marden NDP follows a seminar held in 2019 by Herefordshire Council for parish councils, particularly those with made (adopted) Neighbourhood Development Plans (NDPs). The review process of Herefordshire's Core Strategy has started, and this may mean Marden NDP will need an interim review and then a further review when the new Core Strategy is adopted, which may be 3+ years.</p> <p>An Informal Consultation with local residents and stakeholders was carried out between 17th and 30th</p>

	<p>September 2020. This comprised of a review of the vision and objectives, and policies and a site assessment report which recommended sites for allocation. All documents were held online, and the review document was delivered to all households in the Parish. A questionnaire was included in the review documentation.</p> <p>The results of this consultation, discussions with officers from Herefordshire Council and ongoing input from members of the NDP steering group informed the policies in the NDP Review.</p> <p>Consultations were promoted using local newsletters, the Parish Council's web site and leaflets delivered to all households.</p> <p>The Regulation 14 consultation took place during the COVID-19 Pandemic. The Steering Group followed Government advice in PPG and made every effort to engage with and consult with local residents and stakeholders. A leaflet/notice was delivered to all households, giving telephone and email contact details for more information. Hard copies of the Draft NDP Review and response forms were provided on request.</p>
<p>d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;</p>	<p>The NDP policies and proposals have been prepared by the Steering Group, with support from a planning consultant and planning officers at Herefordshire Council.</p> <p>Amendments have been made at key stages to improve the clarity and reduce ambiguity, but it is understood that the</p>

	Examiner is likely to recommend further changes to wording following the examination process.
e) be accessible through the use of digital tools to assist public involvement and policy presentation; and	Updates and documents have been provided on the NDP website at all stages of plan preparation. Responses by email and using an online response form were invited at informal and formal consultation stages.
f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).	The NDP has been amended and updated throughout its preparation to reduce duplication with Herefordshire Council's policies and national policies.

The Plan Making Framework

Paragraph 18 sets out that policies to address non-strategic matters should be included in local plans that contain both strategic and non-strategic policies, and/or in local or neighbourhood plans that contain just non-strategic policies.

The Marden NDP Review contains non-strategic planning policies and proposals that add local detail and value to strategic policies in the Herefordshire Council Local Plan Review 2011 - 2031. The supporting text for the NDP policies refers to the relevant strategic policies.

Non-strategic policies

Paragraph 29 advises that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct, and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan.

Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.

The Herefordshire Council Local Plan Core Strategy 2011 - 2031 identifies all 4 of the settlements in the Parish as suitable for sustainable housing growth in Policy RA2 - Housing in settlements outside Hereford and the market towns. Figures 4.14 and 4.15 identify the suitable settlements.

- Figure 4.14 - Settlements which will be the main focus of proportionate housing development includes Marden.
- Figure 4.15 - Other settlements where proportionate housing is appropriate includes Burmarsh, Litmarsh and The Vault.

Paragraph 4.8.21 of the Core Strategy sets out that *'in parishes which have more than one settlement listed in Figure 4.14 and 4.15 the relevant Neighbourhood Development Plan will have appropriate flexibility to apportion the minimum housing requirement between the settlements concerned. This will allow for a locally flexible approach that will respect settlement characteristics, the distribution of local facilities and other local factors'*.

The Parish Council supports an approach which reflects local residents' and stakeholders' preference for limited further development within the identified settlement boundaries.

Paragraph 30 goes on to say that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

5. Delivering a sufficient supply of homes

Paragraph 65 sets out that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. The minimum housing growth target set out for the NDP area in the Core Strategy has been met and exceeded and therefore only small scale site allocations for new housing are included in the NDP Review.

The designated area is located within a rural area. Paragraph 78 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The NDP supports this principle in Policies M1 and M2 which guide development to the settlement boundaries of the 4 main settlements.

6. Building a strong, competitive economy

Paragraph 83 advises that in rural areas planning policies should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

The NDP recognises the Parish's location in a rural area and includes policies which support new employment opportunities and protects existing employment facilities and also protects community facilities.

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive, and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. The NDP promotes walking and improvements to public rights of way.

8. Promoting healthy and safe communities

Paragraph 91 sets out that planning policies and decisions should aim to achieve healthy, inclusive, and safe places which: c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling. Paragraph 92 goes on to say that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; and c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

The NDP identifies valued local community facilities for protection, local green spaces are carried forward from the Made NDP and the Plan encourages walking and cycling.

9. Promoting sustainable transport

Paragraph 102 advises that opportunities to promote walking, cycling and public transport use should be identified and pursued. The NDP includes policies which support increased walking and improvement to public rights of way.

11. Making effective use of land

Paragraph 118 advises that planning policies should a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside; and b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production.

NDP Policy M3 identifies general design principles to be applied to any new development across the parish.

12. Achieving well-designed places

Paragraph 124 explains that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 125 goes on to say that design policies should be developed with local communities, so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.

NDP Policy M3 identifies general design principles to be applied to any new development across the parish.

14. Meeting the challenge of climate change, flooding, and coastal change

Paragraph 148 advises that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Paragraph 151 goes on to set out that to help increase the use and supply of renewable and low carbon energy and heat, plans should c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers and in paragraph 152, local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning. NDP Policies M1, M2 and M3 promote sustainable designs.

Planning and flood risk

Paragraph 157 sets out that plans should avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by various measures including c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques). Policy M12 relates to development, flood risk and surface water run-off in relation to water attenuations schemes and sets out that developments should include sustainable drainage systems to manage surface water and reduce flood risk.

15. Conserving and enhancing the natural environment.

Paragraph 170 advises that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside. The NDP notes the various designations for wildlife importance in the Parish and Policy M11 seeks to protect the landscape character of the area.

Ground conditions and pollution

Paragraph 180 sets out that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes considering such matters as noise and light pollution. NDP Policies M1, M2 and M3 all seek to ensure that development takes account of the amenity of local residents and Policy M14 requires development to minimise light pollution.

16. Conserving and enhancing the historic environment.

Paragraph 184 advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 184 goes on to say that plans should set out a positive strategy for the conservation and enjoyment of the historic environment. The NDP notes the statutory listed buildings in the area.

3.2 b. Having Special Regard to the Desirability of Preserving any Listed Building or its Setting or any Features of Special Architectural or Historic Interest

The NDP notes the listed buildings in the Parish.

[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

3.3 c. Having Special Regard to the Desirability of Preserving or Enhancing Character or Appearance of any Conservation Area

The Plan area does not include any conservation areas.

[Note: this Basic Condition only applies to Neighbourhood Development Orders but has been included for the sake of completeness].

3.4 d. Contributes to the Achievement of Sustainable Development

The Submission Neighbourhood Development Plan contributes strongly to the achievement of sustainable development. This is set out in more detail in Table 1 above in relation to the economic, social, and environmental objectives of the NPPF.

3.5 e. In General Conformity with Strategic Local Planning Policy

The Submission Neighbourhood Plan is in general conformity with strategic policies set out in the Herefordshire Local Plan Core Strategy 2011 - 2031.

Table 3 sets out the way that the Neighbourhood Plan conforms to the relevant strategic planning policies in the development plan.

Table 3 General Conformity with Strategic Planning Policies

Marden NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
<p>Policy M1 (Marden 1) – Scale and Type of New Housing Development in Marden village</p> <p>In order to retain the rural character of Marden village over the plan period, proposals for new housing development will only be permitted within the Settlement Boundary or on allocated sites, as shown on the Marden Village Policies Map, in accordance with the Herefordshire Core Strategy and where it meets all the following criteria:</p> <p>a) Designed to be an integrated addition to the village, well connected to the existing village settlement and community facilities;</p> <p>b) Does not lead to the loss of protected open space, shops, or other local facilities;</p> <p>c) The density of any scheme should be consistent and compatible with the existing and prevailing density and reflect the locally distinctive character of the locality in which the new development is proposed so that the village feel is retained;</p>	<p>Policy SS2 - Delivering new homes.</p> <p>A supply of deliverable and developable land will be identified to secure the delivery of a minimum of 16,500 homes in Herefordshire between 2011 and 2031 to meet market and affordable housing need.</p> <p>Hereford is the focus for new housing development to support its role as the main centre in the county. Outside Hereford, the main focus for new housing development will take place in the market towns of Bromyard, Kington, Ledbury, Leominster, and Ross on Wye, on existing or new allocations to enhance their roles as multi -functional centres for their surrounding rural areas. In the rural areas new housing development will be acceptable where it helps to meet housing needs and requirements, supports the rural economy and local services and facilities and is responsive to the needs of its community. In the wider rural areas new housing will be carefully controlled reflecting the need to recognise the intrinsic character and beauty of the countryside.</p> <p>The use of previously developed land in sustainable locations will be encouraged. Residential density will be determined by local character and good quality design. The target net density across the county is between 30 and 50 dwellings per hectare, although this may be less in sensitive areas.</p> <p>The broad distribution of new dwellings in the county will be a minimum of:</p>	<p>NDP Policy M1 sets out the development strategy for the Marden village, as the main village in the parish. The Policy guides appropriate new development to the identified settlement boundary.</p> <p>The Policy takes into consideration the fact that the minimum housing target for the Parish has been met and substantially exceeded and therefore only small scale development is supported up to 2031.</p> <p>This is in general conformity with Core Policy SS2 which sets out that the housing requirement for Herefordshire over the Plan period is 16,500 new homes. In the rural areas new housing should meet housing needs and requirements, support the economy and local services and be responsive to community needs. The settlements in SG1 are identified in the Place Shaping section.</p> <p>The Policy is also in general conformity with Core Strategy Policy RA1 which sets out that the rural areas will be required to provide 5,300 new homes over the Plan period, including a target</p>

Marden NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity																																	
<p>d) Ensures appropriate and safe access can be achieved;</p> <p>e) Provides appropriate residential amenity for future occupiers including consideration of any adjacent noise generating agricultural, industrial, or commercial activities;</p> <p>f) Is of high quality design and is in keeping with the immediate surroundings, environment, and rural landscape;</p> <p>g) Demonstrates a contribution to the delivery of an appropriate mix of dwelling types and sizes including affordable housing, to meet the needs of all sectors of the community;</p> <p>h) Reflects the scale and function of the village of Marden;</p> <p>i) Ensures that any likely significant effect on the River Wye Special Area of Conservation (SAC), including the River Lugg sub-catchment area, is avoided, or adequately mitigated; and</p> <p>j) Where a Transport Assessment is submitted in support of a planning application, this quantifies in detail the likely impact on the strategic highway network of the parish and the railway.</p>	<table border="1" data-bbox="757 272 1487 336"> <tr> <td>Rural settlements – see list in Place Shaping section</td> <td>More limited range of services and some limited development potential but numerous locations</td> <td>5,300</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total</td> <td>16,500</td> </tr> </table> <p>Policy RA1 – Rural housing distribution</p> <p>In Herefordshire’s rural areas a minimum of 5,300 new dwellings will be provided between 2011 and 2031 to contribute to the county’s housing needs. The development of rural housing will contribute towards the wider regeneration of the rural economy.</p> <p>New dwellings will be broadly distributed across the county’s rural areas on the basis of seven Housing Markets Areas (HMA) and as illustrated in Figure 4.13. This acknowledges that different areas of Herefordshire have different housing needs and requirements.</p> <p>The 5,300 dwellings will be delivered throughout the Rural HMAs as set out in the table below. The indicative housing growth targets in each of the Rural HMAs will be used as a basis for the production of neighbourhood development plans in the county. Local evidence and environmental factors will determine the appropriate scale of development.</p> <table border="1" data-bbox="757 1018 1406 1369"> <caption>Policy RA1 – Rural housing distribution continued</caption> <thead> <tr> <th>Rural HMA</th> <th>Approximate number of dwellings 2011 - 2031</th> <th>Indicative housing growth target (%)</th> </tr> </thead> <tbody> <tr> <td>Bromyard</td> <td>364</td> <td>15</td> </tr> <tr> <td>Golden Valley</td> <td>304</td> <td>12</td> </tr> <tr> <td>Hereford</td> <td>1870</td> <td>18</td> </tr> <tr> <td>Kington</td> <td>317</td> <td>12</td> </tr> <tr> <td>Ledbury</td> <td>565</td> <td>14</td> </tr> <tr> <td>Leominster</td> <td>730</td> <td>14</td> </tr> <tr> <td>Ross-on-Wye</td> <td>1150</td> <td>14</td> </tr> <tr> <td style="text-align: right;">Total</td> <td>5300</td> <td></td> </tr> </tbody> </table>	Rural settlements – see list in Place Shaping section	More limited range of services and some limited development potential but numerous locations	5,300	Total		16,500	Rural HMA	Approximate number of dwellings 2011 - 2031	Indicative housing growth target (%)	Bromyard	364	15	Golden Valley	304	12	Hereford	1870	18	Kington	317	12	Ledbury	565	14	Leominster	730	14	Ross-on-Wye	1150	14	Total	5300		<p>growth figure of 18% for the Hereford rural Housing Area and Policy RA2 which guides development in the rural area to identified settlements.</p> <p>The NDP Policy is also in general conformity with Core Strategy Policy MT1 which sets out that proposals should demonstrate that the local highway network can absorb the traffic impacts of the development without adversely affecting the safe flow of traffic and Policy SD3 which requires development to minimise flood risk and provide a betterment.</p>
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Marden NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
<p>In addition, the use of a brownfield site within the Settlement Boundary or conversion/replacement of an existing building or the use of an infill site will be strongly encouraged.</p>	<p>(Marden Parish lies within the Hereford Rural HMA where the minimum growth target is 18% or 104 new houses.)</p> <p>Policy RA2 - Housing in settlements outside Hereford and the market towns To maintain and strengthen locally sustainable communities across the rural parts of Herefordshire, sustainable housing growth will be supported in or adjacent to those settlements identified in Figures 4.14 and 4.15. This will enable development that has the ability to bolster existing service provision, improve facilities and infrastructure and meet the needs of the communities concerned.</p> <p>The minimum growth target in each rural Housing Market Area will be used to inform the level of housing development to be delivered in the various settlements set out in Figures 4.14 and 4.15. Neighbourhood Development Plans will allocate land for new housing or otherwise demonstrate delivery to provide levels of housing to meet the various targets, by indicating levels of suitable and available capacity. Housing proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> 1. Their design and layout should reflect the size, role and function of each settlement and be located within or adjacent to the main built up area. In relation to smaller settlements identified in fig 4.15 proposals will be expected to demonstrate particular attention to the form, layout, character and setting of the site and its location in that settlement and/or they result in development that 	

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	<p>contributes to or is essential to the social well-being of the settlement concerned;</p> <p>2. Their locations make best and full use of suitable brownfield sites wherever possible;</p> <p>3. They result in the development of high quality, sustainable schemes which are appropriate to their context and make a positive contribution to the surrounding environment and its landscape setting; and</p> <p>4. They result in the delivery of schemes that generate the size, type, tenure, and range of housing that is required in particular settlements, reflecting local demand.</p> <p>Specific proposals for the delivery of local need housing will be particularly supported where they meet an identified need, and their long-term retention as local needs housing is secured as such.</p> <p>- Figure 4.14 - Settlements which will be the main focus of proportionate housing development include Marden</p> <p>- Figure 4.15 - Other settlements where proportionate housing is appropriate include Burmarsh, Litmarsh and The Vault</p> <p>Policy MT1 – Traffic management, highway safety and promoting active travel.</p> <p>Development proposals should incorporate the following principle requirements covering movement and transportation:</p> <p>1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic</p>	

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	<p>impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development; ...</p> <p>Policy SD3 – Sustainable water management and water resources Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health, and recreation. This will be achieved by ensuring that:</p> <ol style="list-style-type: none"> 1. development proposals are located in accordance with the Sequential Test and Exception Tests (where appropriate) and have regard to the Strategic Flood Risk Assessment (SFRA) 2009 for Herefordshire; 2. development is designed to be safe, taking into account the lifetime of the development and the need to adapt to climate change by setting appropriate floor levels, providing safe pedestrian and vehicular access, where appropriate, implementing a flood evacuation management plan and avoiding areas identified as being subject to Rapid Inundation from a breach of a Flood Defence; 3. where flooding is identified as an issue, new development should reduce flood risk through the inclusion of flood storage compensation measures, or provide similar betterment to enhance the local flood risk regime; ... 	
<p>Policy M2 – Scale and Type of New Housing Development in designated hamlets</p>	<p>Policy SS2 - Delivering new homes.</p> <p>Policy RA1 – Rural housing distribution</p>	<p>NDP Policy M2 sets out the development strategy for the 3 other designated settlements within the</p>

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<p>In order to retain the rural character of the three settlements, proposals for new housing within Litmarsh, Burmarsh and The Vault, will be considered in accordance with the Herefordshire Core Strategy subject to the following criteria:</p> <ul style="list-style-type: none"> a) Within the settlement boundary as shown on the Policies Maps for each settlement; b) Maintains an appropriate density in context with the immediate surrounding area; c) Ensures appropriate and safe access can be achieved; d) Provides appropriate residential amenity for future occupiers including consideration of any adjacent noise generating agricultural, industrial, or commercial activities; e) Is of high quality design and is in keeping with the immediate surroundings, environment, and rural landscape; f) Demonstrates a contribution to the delivery of an appropriate mix of dwelling types and sizes including affordable housing, to meet the needs of all sectors of the community; 	<p>Policy RA2 - Housing in settlements outside Hereford and the market towns</p> <p>Policy MT1 – Traffic management, highway safety and promoting active travel.</p> <p>Policy SD3 – Sustainable water management and water resources</p>	<p>parish. The Policy guides appropriate new development to the identified settlement boundaries.</p> <p>The Policy takes into consideration the fact that the minimum housing target for the Parish has been met and substantially exceeded and therefore only small scale development is supported up to 2031.</p> <p>This is in general conformity with Core Policy SS2 which sets out that the housing requirement for Herefordshire over the Plan period is 16,500 new homes. In the rural areas new housing should meet housing needs and requirements, support the economy and local services and be responsive to community needs.</p> <p>The Policy is also in general conformity with Core Strategy Policy RA1 which sets out that the rural areas will be required to provide 5,300 new homes over the Plan period, including a target growth figure of 18% for the Hereford rural Housing Area and Policy RA2 which guides development in the rural area to identified settlements.</p> <p>The NDP Policy is also in general conformity with Core Strategy Policy</p>

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<p>g) Reflects the scale and function of the settlement; and h) Ensures that any likely significant effect on the River Wye SAC including the River Lugg sub-catchment area, is avoided, or adequately mitigated.</p> <p>In addition, the use of a brownfield site within the Settlement Boundary or conversion/replacement of an existing building or the use of an infill site will be strongly encouraged.</p>		<p>MT1 which sets out that proposals should demonstrate that the local highway network can absorb the traffic impacts of the development without adversely affecting the safe flow of traffic and Policy SD3 which requires development to minimise flood risk and provide a betterment.</p>
<p>Policy M3 – General Design Principles</p> <p>As described in the Vision, Marden Parish is a rural area with a special character. Development will be considered which would make a positive contribution to that character and be of good design and quality. In seeking to protect and enhance the identity of the parish, all development proposals are expected to comply with all of the following criteria:</p> <p>a) Maintain the historic pattern of development by respecting the layout associated with historic plots in the immediate area;</p>	<p>Policy SS6 - Environmental quality and local distinctiveness</p> <p>Development proposals should conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county’s residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape, and local distinctiveness, especially in Areas of Outstanding Natural Beauty; 	<p>NDP Policy M3 aims to ensure new development responds positively to local context and character, including the distinctive character of each settlement and the wider rural area.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires development proposals to conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular landscape, townscape and local distinctiveness.</p> <p>Policy M3 is also in general conformity with Policy LD1 which sets out that development proposals should demonstrate that character of the</p>

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<p>b) Ensure the suitability of the overall design and appearance of the proposal (including size, scale, density, layout, access considerations) in relation to surrounding buildings, spaces, and other key features in the street scene. Originality and innovation in design is encouraged;</p> <p>c) The arrangement of front gardens, walls, or hedges should maintain and enhance the existing rural character of the immediate locality;</p> <p>d) Use, and where appropriate re-use, local and traditional materials;</p> <p>e) Respect the pattern and use of spaces and use landscape design principles and landscaping where appropriate;</p> <p>f) Ensure movement to, within, around, and through the development is satisfactory;</p> <p>g) New residential development must include provision for adequate parking spaces including garages and for cycle storage and storage for recycling bins. In new developments, provision of parking should be appropriate to the proposed</p>	<ul style="list-style-type: none"> • biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest; • historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity; • physical resources, including minerals, soils, management of waste, the water environment, renewable energy, and energy conservation. <p>The management plans and conservation objectives of the county's international and nationally important features and areas will be material to the determination of future development proposals. Furthermore, assessments of local features, areas, and sites, defining local distinctiveness in other development plan documents, Neighbourhood Development Plans and Supplementary Planning Documents should inform decisions upon proposals.</p> <p>Policy LD1 – Landscape and townscape Development proposals should:</p> <ul style="list-style-type: none"> - demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection, and enhancement of the setting of settlements and designated areas; - conserve and enhance the natural, historic, and scenic beauty of important landscapes and features, including Areas of Outstanding Natural Beauty, 	<p>landscape and townscape has positively influenced the design, scale, nature and site selection, protection, and enhancement of the setting of settlements and designated areas.</p> <p>Policy M3 is also in general conformity with Policy LD4 which protects heritage, requiring proposals affecting heritage assets and the wider historic environment to protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance.</p>

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<p>development and in accordance with Herefordshire Council's Highway Design Guide and Specification;</p> <p>h) Where practical, development proposals affecting existing buildings should also comply with (g) above; and</p> <p>i) Use Sustainable Drainage Systems.</p>	<p>nationally and locally designated parks and gardens and conservation areas; through the protection of the area's character and by enabling appropriate uses, design, and management;</p> <ul style="list-style-type: none"> - incorporate new landscape schemes and their management to ensure development integrates appropriately into its surroundings; and - maintain and extend tree cover where important to amenity, through the retention of important trees, appropriate replacement of trees lost through development and new planting to support green infrastructure. <p>Policy LD4 – Historic environment and heritage assets</p> <p>Development proposals affecting heritage assets and the wider historic environment should:</p> <ol style="list-style-type: none"> 1. Protect, conserve, and where possible enhance heritage assets and their settings in a manner appropriate to their significance through appropriate management, uses and sympathetic design, in particular emphasising the original form and function where possible; 2. where opportunities exist, contribute to the character and local distinctiveness of the townscape or wider environment, especially within conservation areas; 3. use the retention, repair, and sustainable use of heritage assets to provide a focus for wider regeneration schemes; 4. record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence or archive generated publicly accessible and 	

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	<p>5. where appropriate, improve the understanding of and public access to the heritage asset.</p> <p>The scope of the works required to protect, conserve, and enhance heritage assets and their settings should be proportionate to their significance. Development schemes should emphasise the original form and function of any asset and, where appropriate, improve the understanding of and public access to them.</p>	
<p>Policy M4 – Extensions and development within residential curtilages including ancillary accommodation and annexes. Alterations and extensions, including roof extensions and the erection of buildings and structures within the curtilage of dwellings, should be high quality in their construction and design in accordance with Policy SD1. The Parish Council will support extensions and modifications to existing residential properties where:</p> <p>a) The extension is subordinate to the existing building, to allow the form of the original building to be clearly understood;</p> <p>b) The design respects the architectural characteristics, scale and detailing of the host building and its setting. High quality matching or</p>	<p>Policy SS6 - Environmental quality and local distinctiveness</p>	<p>NDP Policy M4 aims to ensure new development responds positively to local context and character, including the distinctive character of each settlement and the wider rural area.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires development proposals to conserve and enhance those environmental assets that contribute towards the county’s distinctiveness, in particular landscape, townscape and local distinctiveness.</p>

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<p>complementary materials should be used, appropriately and sensitively in relation to the context. This would not preclude proposals that are innovative or contemporary where these are of an exceptional design quality;</p> <p>c) The proposal will not have a detrimental impact on the amenity reasonably expected to be enjoyed by the occupants of neighbouring properties through overlooking, lack of privacy or reduction of outlook or daylight;</p> <p>d) The proposal does not lead to an unacceptable loss of parking, both in curtilage or on street and does not create a danger to pedestrians, cyclists, or vehicles; and</p> <p>e) The proposal does not lead to an unacceptable loss of useable private amenity space.</p>		
<p>Policy M5 – Ensuring an appropriate range of tenures, types, and sizes of houses.</p> <p>a) All proposals for new housing development shall demonstrate, following consultation with the parish council, how they contribute to maintaining a mix of tenures, types, and size of</p>	<p>Policy RA2 - Housing in settlements outside Hereford and the market towns.</p> <p>Housing proposals will be permitted where the following criteria are met:</p> <p>...</p> <p>4. They result in the delivery of schemes that generate the size, type, tenure, and range of housing that is required in particular settlements, reflecting local demand.</p>	<p>NDP Policy M5 requires new housing proposals to contribute to a suitable mix of housing and to meet identified local need.</p> <p>This is in general conformity with Core Strategy Policy RA2 which sets out that housing proposals should generate the size, type, tenure, and range of</p>

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<p>dwelling in the parish in accordance with the housing needs of the parish.</p> <p>b) Sites including affordable housing and low cost home ownership should integrate with open market housing across a site. Development that leads to concentrations of different types and tenures of homes in separate groups on a site will be discouraged.</p>	<p>Policy H3 – Ensuring an appropriate range and mix of housing. Residential developments should provide a range and mix of housing units which can contribute to the creation of balanced and inclusive communities. ... The latest Local Housing Market Assessment will provide evidence of the need for an appropriate mix and range of housing types and sizes.</p>	<p>housing that is required in particular settlements, reflecting local demand.</p> <p>In addition, Policy M5 is in general conformity Core Strategy Policy H3 promotes a range and mix of housing units to help create balanced communities and refers to the latest Local Housing Needs Assessment.</p>
<p>Policy M6 – Protection/extension of Local Community Facilities</p> <p>Large housing developments (defined as 10 or more or an area of 0.5 hectares or more) are expected to make a proportionate contribution to the provision of community facilities subject to viability testing. Any new or expanded facilities should be, wherever possible, located in or adjacent to the settlement boundary or close to existing facilities or in an otherwise convenient and suitable location.</p> <p>There will be a presumption in favour of the re-use of local community facilities for community and health type uses. The change of use of</p>	<p>Policy SC1 – Social and community facilities Development proposals which protect, retain, or enhance existing social and community infrastructure or ensure that new facilities are available as locally as possible will be supported. Such proposals should be in or close to settlements, have considered the potential for co-location of facilities and where possible be safely accessible by foot, by cycle and public transport.</p> <p>New development that creates a need for additional social and community facilities that cannot be met through existing social facilities - will be expected to meet the additional requirements through new, or extension of existing, provision or by developer contributions which meet the relevant tests of paragraph 204 of the NPPF.</p> <p>Proposals involving the provision or expansion of social and community facilities will be expected to provide</p>	<p>NDP Policy M6 recognises the importance of local community facilities to residents of the parish.</p> <p>This Policy is in general conformity with Core Strategy SC1 which provides general protection to existing local facilities and supports enhancements where they are located in or close to settlements.</p>

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<p>existing facilities to other uses will not be permitted unless the following can be demonstrated:</p> <p>a) The proposal includes alternative provision, on a site within the locality, of equivalent or enhanced facilities. Such sites should be accessible by public transport, walking and cycling and have adequate car parking; or</p> <p>b) Satisfactory evidence is produced that there is no longer a need for the facility or that it is no longer viable or fit for purpose and where appropriate has been vacant and marketed for community use without success in line with Core Strategy Policy SC1.</p> <p>The current local community facilities within the parish include but are not limited to: primary school; community centre; playing fields, recreation ground including children’s play equipment, multi-use games area (MUGA) and a tennis court; and two public houses.</p>	<p>publicly accessible toilets (including facilities for disabled people and baby changing).</p> <p>Existing facilities will be retained, unless it can be demonstrated that an appropriate alternative facility is available or can be provided to meet the needs of the community affected; or it can be shown that the facility is no longer required, viable or is no longer fit for purpose; and where appropriate, it has been vacant and marketed for community use without success. Viable alternative facilities must be equivalent to those they replace, in terms of size, quality and accessibility.</p> <p>The provision or improvement of higher education facilities and the continuing enhancement of existing, or provision of new, training and skills facilities will be actively promoted.</p>	
<p>Policy M7 – New local employment opportunities</p> <p>The development of new local employment opportunities will be considered providing that they:</p>	<p>Policy RA6 - Rural Economy</p> <p>Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be</p>	<p>NDP Policy M7 supports new local employment opportunities. Local criteria are set out to guide decisions on planning applications, and proposals should include the sensitive conversion of existing buildings in the</p>

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<ul style="list-style-type: none"> • Do not have a detrimental impact on surrounding residential amenity; • Do not lead to the loss of open space or green infrastructure; • Are located close to existing highways and do not have an unacceptable impact on traffic; and • Ensure that any likely significant effect on the River Wye Special Area of Conservation (SAC) including the River Lugg sub-catchment area is avoided or adequately mitigated. <p>Development proposals that would result in the creation of small-scale employment opportunities in residential properties or other non-commercial premises will be supported where they have no unacceptable impacts on the amenity of neighbours and the wider community such as noise, fumes, vibration and odours, transport system, traffic flows, parking, or infrastructure.</p>	<p>supported. A range of economic activities will be supported, including proposals which:</p> <ul style="list-style-type: none"> • support and strengthen local food and drink production; • support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses; • involve the small scale extension of existing businesses; • promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism; • promote the sustainable use of the natural and historic environment as an asset which is valued, conserved and enhanced; • support the retention of existing military sites; • support the retention and/ or diversification of existing agricultural businesses; <p>Planning applications which are submitted in order to diversify the rural economy will be permitted where they:</p> <ul style="list-style-type: none"> • ensure that the development is of a scale which would be commensurate with its location and setting; • do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise, dust, lighting, and smell; • do not generate traffic movements that cannot safely be accommodated within the local road network; and • do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4. 	<p>rural area or new buildings and conversions within the settlement boundaries, and consideration of traffic impacts and residential amenity.</p> <p>This is in general conformity with Core Strategy Policy RA6 which supports proposals which diversify the rural economy including sustainable tourism, where they are of appropriate scale, protect residential amenity and do not cause adverse impacts on the local road network.</p>

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<p>Policy M8 – Supporting, enhancing, and protecting existing local employment.</p> <p>Insofar as planning permission is required, existing sources of local employment will be protected from change from business to residential use.</p> <p>Redevelopment or change of use of existing employment premises will only be permitted when:</p> <p>a) The employment premises have been empty for twelve months or more and during that time actively marketed without securing a viable alternative employment use;</p> <p>b) Equivalent, or better, provision is made, elsewhere within the settlement boundary, to replace the proposed loss of local employment space.</p> <p>Development that would lead to the expansion or improvement of existing business premises will be permitted when it:</p>	<p>Policy RA6 - Rural Economy</p> <p>Employment generating proposals which help diversify the rural economy such as knowledge based creative industries, environmental technologies, business diversification projects and home working will be supported. A range of economic activities will be supported, including proposals which:</p> <ul style="list-style-type: none"> • support and strengthen local food and drink production; • support and/or protect the vitality and viability of commercial facilities of an appropriate type and scale in rural areas, such as village shops, petrol filling stations, garden centres and public houses; • involve the small scale extension of existing businesses; • promote sustainable tourism proposals of an appropriate scale in accordance with Policy E4 - Tourism; • promote the sustainable use of the natural and historic environment as an asset which is valued, con served and enhanced; • support the retention of existing military sites; • support the retention and/ or diversification of existing agricultural businesses; <p>Planning applications which are submitted in order to diversify the rural economy will be permitted where they:</p> <ul style="list-style-type: none"> • ensure that the development is of a scale which would be commensurate with its location and setting; 	<p>NDP Policy M8 seeks to supports enhance and protect existing local employment. Local criteria are set out to guide decisions on planning applications.</p> <p>This is in general conformity with Core Strategy Policy RA6 which supports proposals which diversify the rural economy, where they are of appropriate scale, protect residential amenity and do not cause adverse impacts on the local road network.</p>

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<p>c) Is suitable in terms of size, layout, access, parking, design, and landscaping;</p> <p>d) Does not harm the amenity of nearby occupiers;</p> <p>e) Does not harm the character, appearance or environment of the site and its surroundings;</p> <p>f) Has adequate access, or potential access, by a choice of transport modes;</p> <p>g) Retains and enhances any built and natural features/areas that contribute to the amenity or biodiversity of the area;</p> <p>h) Includes mechanisms to improve environmental performance to that of current best practice standards and national and local policies; and</p> <p>i) Ensures that any likely significant effect on the River Wye Special Area of Conservation (SAC), including the River Lugg sub-catchment area, is avoided, or adequately mitigated.</p>	<ul style="list-style-type: none"> • do not cause unacceptable adverse impacts to the amenity of nearby residents by virtue of design and mass, noise, dust, lighting, and smell; • do not generate traffic movements that cannot safely be accommodated within the local road network; and <p>do not undermine the achievement of water quality targets in accordance with Policies SD3 and SD4.</p>	
<p>Policy M9 – Supporting Development of Communications Infrastructure</p> <p>Improvement and development of new mobile telecommunication infrastructure will be supported provided that:</p>	<p>Policy LD1 - Landscape and townscape</p>	<p>Policy M9 seeks to ensure that the development of communications infrastructure is in keeping with the character of the parish and includes criteria against which planning applications will be assessed. This is</p>

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<p>a) The design and placement seeks to minimise impact on the visual amenity, character, or appearance of the surrounding area.</p> <p>Improvements to broadband infrastructure will be supported. Any new development within the Parish should be served by a superfast broadband (fibre optic) connection unless it can be demonstrated through consultation with the NGA Network providers that this would not be possible, practical, or economically viable. In such circumstances, suitable ducting should be provided within the site and to all properties to facilitate future installation.</p>		<p>in general conformity with Policy LD1 of the Herefordshire Core Strategy.</p>
<p>Policy M10 – Protection of Local Green Spaces</p> <p>The local green spaces listed below and shown on the Marden Village Policies Map and the enlarged map on Page 31, are protected from development in accordance with the National Planning Policy Framework (NPPF):</p> <ol style="list-style-type: none"> 1) Land round war memorial; 2) Pond; 	<p>Policy OS3 – Loss of open space, sports, or recreation facilities</p> <p>In determining the appropriateness of proposals which results in the loss of an open space, sports or recreation facility, the following principles will be taken into account:</p> <ol style="list-style-type: none"> 1. clear evidence that the open space, sports, or recreation facility is surplus to the applicable quantitative standard; 2. the loss of the open space, sports or recreation facility results in an equally beneficial replacement or enhanced existing facility for the local community; 	<p>NDP Policy M10 carries forward 4 areas of Local Green Space from the Made Plan and seeks to designate a further 2 Local Green Spaces. One of the new designations is a recreation area which would be protected under Core Strategy Policy OS3 and the other is an area of land which adds to the amenity of the area and could be considered Green Infrastructure under Policy LD3.</p>

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<p>3) Area at top of Rudge Grove; 4) All areas around the front of the school building; 5) Area of grass in front of hedge opposite Post Office and along length of hedge; 6) Recreation Ground.</p> <p>Any new development which impacts adversely on the openness, biodiversity or geodiversity of these sites will not be supported.</p>	<p>3. the loss of the open space, sports and recreation facility is for the purpose of providing an ancillary development which improves the functioning, useability or viability of the open space, sport and recreation use, e.g., changing rooms, toilets, grandstand accommodation, assembly and function uses; 4. the loss of the open space, sports or recreation facility will not result in the fragmentation or isolation of a site which is part of a green infrastructure corridor.</p> <p>Policy LD3 – Green infrastructure Development proposals should protect, manage, and plan for the preservation of existing and delivery of new green infrastructure, and should achieve the following objectives:</p> <ol style="list-style-type: none"> 1. identification and retention of existing green infrastructure corridors and linkages; including the protection of valued landscapes, trees, hedgerows, woodlands, water courses and adjoining flood plain; 2. provision of on-site green infrastructure; in particular, proposals will be supported where this enhances the network; and 3. integration with, and connection to, the surrounding green infrastructure network. <p>Policy LD2 – Biodiversity and geodiversity Development proposals should conserve, restore, and enhance the biodiversity and geodiversity assets of Herefordshire, through the:</p> <ol style="list-style-type: none"> 1. retention and protection of nature conservation sites and habitats, and important species in accordance with their status as follows: 	<p>Policy M10 is in general conformity with Policies OS3 and LD3 of the Herefordshire Core Strategy</p>

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	<p>a) Development that is likely to harm sites and species of European Importance will not be permitted;</p> <p>b) Development that would be liable to harm Sites of Special Scientific Interest or nationally protected species will only be permitted if the conservation status of their habitat or important physical features can be protected by conditions or other material considerations are sufficient to outweigh nature conservation considerations;</p> <p>c) Development that would be liable to harm the nature conservation value of a site or species of local nature conservation interest will only be permitted if the importance of the development outweighs the local value of the site, habitat or physical feature that supports important species.</p> <p>d) Development that will potentially reduce the coherence and effectiveness of the ecological network of sites will only be permitted where adequate compensatory measures are brought forward.</p> <p>2. restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks; and</p> <p>3. creation of new biodiversity features and wildlife habitats.</p> <p>Where appropriate the council will work with developers to agree a management strategy to ensure the protection of, and prevention of adverse impacts on, biodiversity and geodiversity features.</p>	
<p>Policy M11 – Landscape character All development proposals will have to show regard to the distinctive landscape character of the</p>	<p>Policy SS6 Environmental quality and local distinctiveness Development proposals should conserve and enhance those environmental assets that contribute towards the</p>	<p>NDP Policy M11 requires development to respond positively to local landscape character and to protect and enhance biodiversity in the Parish. The Policy</p>

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<p>Herefordshire Lowlands Character Area by:</p> <p>a) Ensuring all development that is defined as being of exceptional quality in accordance with paragraph 79 of NPPF retains the development form of scattered hamlets and farmsteads within the wide setting of the area;</p> <p>b) Using appropriate local building materials;</p> <p>c) Retaining existing field patterns and boundaries, including low hedgerows and tree cover;</p> <p>d) Protecting and enhancing areas of woodland;</p> <p>e) Encouraging country stewardship and similar schemes to enhance the biodiversity and natural and historic environments.</p>	<p>county's distinctiveness, in particular its settlement pattern, landscape, biodiversity and heritage assets and especially those with specific environmental designations. In addition, proposals should maintain and improve the effectiveness of those ecosystems essential to the health and wellbeing of the county's residents and its economy. Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:</p> <ul style="list-style-type: none"> • landscape, townscape, and local distinctiveness, especially in Areas of Outstanding Natural Beauty; • biodiversity and geodiversity especially Special Areas of Conservation and Sites of Special Scientific Interest; • historic environment and heritage assets, especially Scheduled Monuments and Listed Buildings; • the network of green infrastructure; • local amenity, including light pollution, air quality and tranquillity; • agricultural and food productivity; • physical resources, including minerals, soils, management of waste, the water environment, renewable energy, and energy conservation. <p>The management plans and conservation objectives of the county's international and nationally important features and areas will be material to the determination of future development proposals. Furthermore, assessments of local features, areas, and sites, defining local distinctiveness in other development plan documents, Neighbourhood Development Plans and</p>	<p>goes on to set out that proposals protect local landscape features such as trees, woodlands, hedgerows, and orchards and where possible provide new planting as part of measures to support biodiversity net gain.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires development proposals to conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular landscape, townscape and local distinctiveness Developments should also protect, and where possible restore, important habitats such as traditional orchards and hedgerows.</p> <p>Core Strategy Policy LD1 requires proposals to demonstrate that landscape character has influenced design, and to incorporate new landscape schemes to ensure development integrates appropriately into its surroundings and maintain and extend tree cover.</p> <p>In addition, Policy LD2 – Biodiversity and geodiversity requires development proposals to conserve, restore and enhance the biodiversity and geodiversity assets of Herefordshire,</p>

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	<p>Supplementary Planning Documents should inform decisions upon proposals.</p> <p>Policy LD1 – Landscape and townscape</p> <p>Policy LD2 – Biodiversity and geodiversity</p>	<p>including through restoration and enhancement of existing biodiversity and geodiversity features on site and connectivity to wider ecological networks, and the creation of new biodiversity features and wildlife habitats.</p>
<p>Policy M12 – Flood risk and surface water run-off</p> <p>a) All development should be preferentially located within Flood Zone 1. Where this is not possible, proposals are expected to demonstrate that they are safe and will not increase flood risk to third parties. This is in accordance with the sequential and exception tests set out in national policy. Proposals must have regard to Herefordshire’s Strategic Flood Risk Assessment. Flood risk betterment should be provided whenever possible.</p> <p>b) New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. Sustainable drainage systems (SuDS) should be implemented wherever possible.</p>	<p>Policy SS7- Addressing climate change. Development proposals will be required to include measures which will mitigate their impact on climate change. At a strategic level, this will include:</p> <ul style="list-style-type: none"> • focussing development to the most sustainable locations; • delivering development that seeks to reduce the need to travel by private car and which encourages sustainable travel options including walking, cycling and public transport; • designing developments to reduce carbon emissions and use resources more efficiently; • promoting the use of decentralised and renewable or low carbon energy where appropriate; • supporting affordable, local food production, processing, and farming to reduce the county’s contribution to food miles; • protecting the best agricultural land where possible; <p>Key considerations in terms of responses to climate change include:</p> <ul style="list-style-type: none"> • taking into account the known physical and environmental constraints when identifying locations for development; 	<p>NDP Policy M12 has been prepared to encourage new development to respond positively to the climate emergency going forward and to address flood risk and surface water run-off in new development.</p> <p>This is in general conformity with Core Strategy Policy SS7 which requires development proposals to address climate change through various measures.</p> <p>Policy SD3 requires development to include water conservation and efficiency measures.</p>

Marden NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
<p>c) Development should reflect the specific local circumstances and relevant current evidence in relation to the likely impacts on and potential benefits for water quality, sewerage infrastructure and sustainable drainage.</p> <p>d) The design of new buildings and infrastructure should take account of existing topography to manage the flow of water along specific flow routes away from property and into appropriate storage facilities and/or 'slow the flow' systems.</p> <p>e) Water attenuation facilities such as lagoons, ponds and swales should be provided within development sites.</p> <p>f) New development should avoid overloading existing septic tank infrastructure. Any development that proposes to make use of already overloaded, leaking, or out-of-date septic tank infrastructure will be required to make provision for appropriate upgrading of the infrastructure.</p> <p>g) Initiatives that rationalise or improve the provision of wastewater treatment in areas not connected to mains drainage</p>	<ul style="list-style-type: none"> • ensuring design approaches are resilient to climate change impacts, including the use of passive solar design for heating and cooling and tree planting for shading; • minimising the risk of flooding and making use of sustainable drainage methods; • reducing heat island effects (for example through the provision of open space and water, planting and green roofs); • reduction, re-use, and recycling of waste with particular emphasis on waste minimisation on development sites; and • developments must demonstrate water efficiency measures to reduce demand on water resources. Adaptation through design approaches will be considered in more locally specific detail in a Design Code Supplementary Planning Document. <p>Policy SD3 – Sustainable water management and water resources</p> <p>Measures for sustainable water management will be required to be an integral element of new development in order to reduce flood risk; to avoid an adverse impact on water quantity; to protect and enhance groundwater resources and to provide opportunities to enhance biodiversity, health, and recreation.</p> <p>...</p> <p>6. water conservation and efficiency measures are included in all new developments, specifically:</p> <ul style="list-style-type: none"> • residential development should achieve Housing - Optional Technical Standards - Water efficiency 	

Marden NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
<p>will be supported, including installing new treatment works.</p> <p>h) For new development in locations where there are vulnerable aquifers or private water sources nearby, applicants will need to provide an assessment that demonstrates how surface and foul water will be kept out of aquifers and nearby private water sources.</p> <p>i) Opportunities, where appropriate, should help to conserve and enhance watercourses and riverside habitats. Where necessary, this should be through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of any aquatic environment in or adjoining the development site. New development must ensure that any likely significant effect on the River Wye Special Area of Conservation (SAC), including the River Lugg sub-catchment area is avoided or adequately mitigated.</p> <p>j) Sustainable design of buildings which support rainwater harvesting is supported.</p>	<p>standards. At the time of adoption, the published water efficiency standards were 110 litres/person/ day; or</p> <ul style="list-style-type: none"> • non-residential developments in excess of 1,000 m2 gross floorspace to achieve the equivalent of BREEAM 3 credits for water consumption as a minimum; 	

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<p>Storage of rainwater for non-drinking water purposes such as watering gardens and flushing toilets is encouraged.</p> <p>k) Areas of hard standing such as driveways and parking areas should use porous materials where possible in line with current planning requirements and with associated soakaway facilities.</p> <p>l) The protection, management, and planning for the preservation of existing, and delivery of new green infrastructure is supported in accordance with Herefordshire Core Strategy Policy LD3, to maximise the retention of surface water on sites.</p>		
<p>Policy M13 – Public Rights of Way/Connectivity Proposals for the enhancement and improvement of the Public Rights of Way within the parish will be supported.</p> <p>Proposals for improved linkages and accessibility within Marden and to the areas beyond will be supported.</p> <p>All new proposals for additional dwellings should take every available</p>	<p>Policy SS4 Movement and Transportation New developments should be designed and located to minimise the impacts on the transport network; ensuring that journey times and the efficient and safe operation of the network are not detrimentally impacted. Furthermore, where practicable, development proposals should be accessible by and facilitate a genuine choice of modes of travel including walking, cycling and public transport. Proposals to provide new and improved existing public transport, walking and cycling infrastructure will be supported. Where appropriate, land and routes will be</p>	<p>NDP Policy M13 promotes improved accessibility for all and encourages developments to connect to PROW.</p> <p>The policy support improvements and enhancement of public rights of way.</p> <p>Policy M13 is in general conformity with Core Strategy Policies SS4 and MT1 which promote walking and cycling and access to public transport and require adequate parking and road safety measures.</p>

Marden NDP Review Policy	Herefordshire Local Plan Core Strategy 2011 - 2031 Policies, adopted October 2015	General Conformity
<p>opportunity to include the following enhancements to maximise accessibility to residents and to support local biodiversity:</p> <p>a) Enhanced public access and appropriate signage from residential areas;</p> <p>b) New footpaths, cycle routes and bridleways linking to existing and new networks.</p> <p>In the event that a Public Right of Way crosses a proposed development site, the proposal will not be supported unless it can be demonstrated that either the current course of the Right of Way can be retained or that any diversion would not result in any adverse impact on this public amenity or safety of the general public and is approved by the Rights of Way Officer for Herefordshire Council.</p>	<p>safeguarded as required in future local or Neighbourhood Development Plans and developer contributions, which meet the statutory tests, sought to assist with the delivery of new sustainable transport infrastructure, including that required for alternative energy cars.</p> <p>Policy MT1 - Traffic management, highway safety and promoting active travel.</p> <p>Development proposals should incorporate the following principle requirements covering movement and transportation:</p> <ol style="list-style-type: none"> 1. demonstrate that the strategic and local highway network can absorb the traffic impacts of the development without adversely affecting the safe and efficient flow of traffic on the network or that traffic impacts can be managed to acceptable levels to reduce and mitigate any adverse impacts from the development; 2. promote and, where possible, incorporate integrated transport connections and supporting infrastructure (depending on the nature and location of the site), including access to services by means other than private motorised transport. 	
<p>Policy M14 – Dark Skies To minimise light pollution and to maintain the views of night time skies in the parish, unless it is a requirement of a statutory body all new roads built as part of a</p>	<p>Policy SS6 – Environmental quality and local distinctiveness</p> <p>Policy LD1 –Landscape and townscape</p>	<p>NDP Policy M14 requires development to consider the impacts of light pollution on dark skies, and ensure external lighting is based on need.</p> <p>This is in general conformity with Core Strategy Policy SS6 which requires</p>

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<p>development must not feature street lighting.</p> <p>All planning proposals that include external lighting and significant openings that would allow internal lighting to be seen externally will have to demonstrate the following:</p> <p>a) An assessment of the need for lighting has been undertaken. Applicants will be required to assess the need for lighting, whether the benefits of the lighting outweigh any harm caused and any alternative measures available;</p> <p>b) The nature of the proposed lighting is appropriate for its use and location.</p>		<p>development proposals to conserve and enhance those environmental assets that contribute towards the county's distinctiveness, in particular landscape, townscape and local distinctiveness.</p> <p>Core Strategy Policy LD1 requires proposals to demonstrate that landscape character has influenced design, and to incorporate new landscape schemes to ensure development integrates appropriately into its surroundings.</p>

3.6 f. Be Compatible with EU Obligations

The Submission Neighbourhood Plan is fully compatible with EU Obligations.

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

The **Environmental Report for Marden Neighbourhood Area** was published in January 2021 by Herefordshire Council. The Non-Technical Summary sets out:

Strategic Environmental Assessment (SEA) is an important part of the evidence base which underpins Neighbourhood Development Plans (NDP), as it is a systematic decision support process, aiming to ensure that environmental assets, including those whose importance transcends local, regional, and national interests, are considered effectively in plan making.

Marden Parish Council have undertaken to modify their made NDP and this process has been subject to environmental appraisal pursuant to the SEA Directive. Marden is a relatively large parish to the north of Hereford city, covering an area of 1,396 hectares.

The draft Marden NDP includes 7 objectives which are intended to address a number of issues highlighted and it is intended that these objectives will be delivered by 14 planning policies including site allocations and criteria based policies. The Marden NDP was made on 12 October 2016 and the parish council have decided to modify a number of policies to ensure that the plan is up to date. This has resulted in the revision of a number of objectives and 14 policies. A number of alternative site options have also been tested. Three sites have been proposed for allocation.

The environmental appraisal of the Marden NDP has been undertaken in line with the Environmental Assessment of Plan and Programmes Regulations 2004. Stage A of the SEA process involved Scoping and Stage B provides a review and analysis of the NDP. Stage C involved preparing an Environmental Report and Stage D comprises a formal consultation on both this and the Draft Plan itself.

Habitat Regulations Assessment (HRA) screening showed that a full HRA assessment was not required. A separate report has been produced outlining this to accompany the modified draft Marden NDP.

On the whole, it is considered that the modified Marden NDP is in general conformity with both national planning policy contained in the National Planning Policy Framework and strategic policies set within the Herefordshire Local Plan (Core Strategy). The plan proposes a level of growth which reflects the proportionate growth that is prescribed by strategic policies. There are some revised wording changes suggested to strengthen or clarify some policies areas as a result of the SEA.

Once made (adopted) by Herefordshire Council, the effects of the policies within the Marden NDP will be monitored annually via the Council's Annual Monitoring Report (AMR).

The report was updated taking into account the Submission NDP and any changes.

The **Habitats Regulations Assessment Report for Marden Neighbourhood Area** was published by Herefordshire Council in January 2021.

The Report concludes that:

'8.1 With reference to sections 6 to 7 above, the NDP will not have a likely significant effect on the River Wye (including the River Lugg) SAC.'

See full reports for further information <https://www.herefordshire.gov.uk/directory-record/3086/marden-neighbourhood-development-plan>

European Convention on Human Rights

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

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

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

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

statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding, or mitigating adverse impacts on the environment, community, and economy.

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

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

3.7 g. Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

The prescribed conditions have therefore been met in relation to the Neighbourhood Development Plan (NDP) and prescribed matters have been complied with in connection with the proposal for the Plan.

Marden Parish Council

With the support of



February 2021