

# Lyonshall Parish

Neighbourhood  
Development Plan



# Lyonshall Neighbourhood Development Plan 2019 - 2031

## Referendum Version

October 2019

Lyonshall Neighbourhood Plan Steering Group  
On Behalf of the Parish Council

*It is the collective wish of the Parish Council and the Steering Group that this Neighbourhood Development Plan be dedicated to Ron Addis, colleague and friend, and a man who carried Lyonshall in his heart. He gave his best efforts to it, and his unwavering common sense and eye for detail made the compiling of it a lighter task.*

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## Background

Welcome to the Referendum Version of the Neighbourhood Development Plan (NDP) for the Parish of Lyonshall.

The NDP was examined in September 2019 by an independent examiner. The Examiner's Report set out that, subject to a number of minor modifications, the Lyonshall NDP meets the Basic Conditions and should proceed to referendum. This version of the NDP incorporates the modifications recommended in the Examiner's Report.

Lyonshall was one of the first Parishes to start work on its NDP in 2012. But in 2014 the Parish Council halted work on it because, whilst we had a first draft NDP, the Herefordshire Core Strategy had yet to be completed.

There had been a great deal of excitement about having one of the first NDPs, but time began to show that speed was not necessarily a sensible motivation. There was a benefit in watching the experience of other Parishes and better understanding what could actually be achieved in an NDP within the constraints of the Core Strategy once it was adopted.

The Core Strategy was finally adopted in October 2015. The Parish Council then had to consider how best to complete this process following the change in attitude towards development expressed since the major consultations on which the draft NDP was based.

In terms of development, the original consultations had indicated that it should be restricted to 2 houses a year over the period of the plan, and that the village should develop a village centre with a new memorial hall containing entertainment facilities, as well as facilities to house a community shop/post office, cafe, craft stalls or a farm produce stall, together with a large grass recreation/sporting area. Whilst this was fully reflected in the first draft, it was far from clear how this expensive development was going to be funded. The Parish could not afford to borrow the money, and there was, as now, considerable pressure on available charitable funds.

During this period there were changes within the Parish itself. The Royal George had been acquired by a resident who wanted to turn it into a centre containing many of the facilities already planned in the draft NDP, and there was an application from the same resident to build 30 houses, to help fund the development of the pub.

The Parish Council recognised that these proposals offered many of the benefits proposed in the Draft NDP, reflecting the consultation results. Importantly, they also offered significantly more certainty that these benefits could be realised at no cost to the community.

However, in the light of opinions expressed in the early NDP consultation process, the Parish Council was unable to recommend the proposals without a full consultation with the Parish. Consequently, public meetings were held, well attended and showing overwhelming support for the project. A consultation paper and voting forms were subsequently sent to every voter in the Parish, setting out the proposals. The result was a majority of 74.3% in favour of the 30 houses.

This response flew in the face of the earlier NDP consultation results. Our conclusion was that people had accepted the argument that a pub and a shop, both of which had closed owing to lack of use, would not be sustainable in the future without more growth in the village.

We formed a second working group of six members with three Parish Councillors and three residents who were not on the Parish Council. Their brief was to build on the original consultations, carry out

additional consultations to update opinions, and then produce a revised NDP that was short, clear, and concentrated on items that the Parish could influence.

We felt it would be helpful to provide some structural background, to help understand how the NDP must be achieved: -

1. The Localism act gave the opportunity for local people to decide how they wanted their Parish to develop, with their results expressed in an NDP which would then contain the planning policies for the Parish until 2031.
2. This new-found power has two main constraints. Firstly, the policies in the NDP have to have regard to the policies set out in the National Planning Policy Framework document (first published in March 2012 and recently revised in July 2018), as did the Core Strategy drawn up by Herefordshire Council. Secondly, the law requires that the NDPs have to be in general conformity with the strategic policies here provided in Herefordshire Core Strategy.

This second requirement is to ensure that the overarching strategic plans set out by Herefordshire Council in their Core Strategy cannot be thwarted by local Parishes. General conformity does not mean that the NDPs have to agree with every detail in the Core Strategy, but it does mean that it cannot be in conflict with the strategy for the county.

3. Within those constraints the NDP has to be shown to reflect the views of the Parish which have been gathered through various documented consultations. Before the NDP comes to you for final approval in a local referendum it will have been examined by an independent inspector. The inspector will need to be satisfied that our NDP meets the legal criteria for NDPs and that all the policies set out in the NDP do reflect the majority views expressed in the consultations. This document therefore does not just reflect the views of the working group or the Parish Council but chiefly the demonstrated views of the Parish.
4. A number of Parishes have taken the view that their NDP should be a long and proud document, lauding the dreams of the Parish, many of which are unachievable. The view of the working group and the Parish Council is that this should be a short, practical document concentrating on areas where the wishes of the parish can be achieved within the time frame of the plan. It acknowledges the Parish's interest in areas that are already fully covered in the Core Strategy, but does not repeat those policies, as that is an unnecessary duplication which will add nothing.

Lyonshall Parish Council submitted the Neighbourhood Development Plan to Herefordshire Council on 22<sup>nd</sup> January 2019. Herefordshire Council published the Plan for formal consultation from 25<sup>th</sup> January to 8<sup>th</sup> March 2019.

The examination of the NDP was undertaken from March to September 2019.

## Lyonshall Policies

### **Policy LH1 Settlement Boundaries**

(Page 24)

The settlement boundaries for the two settlements of Lyonshall village and Holme Marsh are defined on Policy Map 4 and Policy Map 5.

The following site allocations are identified for new housing within the settlement boundary of Lyonshall village as shown on Policy Map 4:

- Site A: Orchard behind Howe Terrace (5 units)
- Site B: Bakers Meadow (18 units)
- Site C: Land off Spond Lane opposite the Barns (18 units)
- Site D: Land adjoining the Memorial Hall (2 units)
- Site E: Land opposite the Memorial Hall (2 units).

Additional landscaping should be provided on Site C to enhance the transition from open countryside to the built up area of the village. Site specific Flood Risk Assessments will be required for Sites B and C when planning applications for these sites are submitted.

Within the settlement boundaries, new housing development will be supported provided that:

1. Schemes are small to medium in scale. Up to 5 units are preferred, but larger schemes of around 15 - 18 units will be considered, provided they guarantee the delivery of affordable units as defined in the National Planning Policy Framework [NPPF].
2. Development responds positively and sensitively to local character and setting.
3. The development is of a low density appropriate to the rural village character of each settlement, defined as a maximum of 12 dwellings per hectare of the site for market housing in the Lyonshall village centre, 8 dwellings per hectare in Holme Marsh, and 25 dwellings per hectare for affordable housing.
4. Front gardens with a minimum depth of 7 metres are provided, and rear gardens of adequate size to encourage food growing to support healthy lifestyles.
5. Access, car parking and servicing arrangements meet the Highway Authority's requirements.
6. Suitable and safe provision is made for access by pedestrians and cyclists.
7. Proposals effectively manage surface water drainage. Development should not result in increased run-off from the site but should achieve a reduction in rate and

volume where possible. Sustainable building designs that incorporate grey water storage will be encouraged.

8. Proposals should follow a sequential approach to flood risk with all built development being located within Flood Zone 1, the low risk zone, in the first instance.

### **Policy LH2 House Types and Sizes**

(Page 26)

Over the plan period a range of dwelling sizes, types and tenures should be provided in new housing developments, to meet local need. Developments on sites of more than 10 dwellings should aim to meet a target of 35% affordable housing provision and developers should ensure proposals respond to the most up to date evidence of local housing need.

A suitable proportion based on an up to date assessment of housing needs of small to medium sized market homes and affordable housing (up to 3 bedrooms) will be encouraged for first time buyers, smaller households and older residents wishing to downsize within the local area. Schemes that provide specialist supported accommodation for older residents will also be supported.

Schemes for self-build housing will be encouraged and supported.

Proposals for the re-use of redundant agricultural buildings for housing will be supported where they meet the criteria set out in Policy LB2.

### **Policy LH3 Promoting High Quality Design**

(Page 27)

New development should demonstrate a positive approach to design. In particular, development schemes should incorporate the following design principles:

1. New development should enhance and reinforce the style and structure of the village, both in Lyonshall and Holme Marsh. A proposal for new housing should not feature a generic scheme but should demonstrate how it responds to the character of the site and its surroundings, in scale, mass and built form [as described in Appendix 1 - Housing Character and Density].
2. Layouts should respect the traditional village form in each settlement. In the centre of Lyonshall village, individual properties should follow a linear pattern, fronting the road and set back within garden plots, while dwellings in larger developments should also be set back from their access roads or common spaces.

Towards the edge of the village and in Holme Marsh, development should be more scattered in form, with low plot density and individual properties set within large plots. Landscaping and planting for screening, separating and simply as attractive features should be defined in all proposals. In all areas, plot sizes should allow for suitable external storage facilities such as cycle storage units, sheds and garages.

3. Where planning permission is required, extensions to existing buildings should be in scale and in character with the original building.
4. Schemes that include provision for home working such as office space / annexes will be encouraged.
5. Groups of new buildings should contain a mixture of types, in sympathy with each other, but not identical in shape, style or design. The form and detailing of individual dwellings is expected to be robust and engaging, designed to give pleasure to occupiers, villagers and passers-by.
6. Materials should be chosen to add to the quality or character of the surrounding environment. Their quality is very important, and in particular their weathering characteristics over the life of the building. Where possible, locally appropriate materials should be used. However, new development proposals need not imitate earlier architectural periods or styles, and imaginative, modern and sustainable designs will be encouraged wherever possible.
7. Proposals should be designed to minimise adverse impacts on neighbours and general local amenity, giving careful consideration to noise, light and smells.

### **Policy LB1 Protecting and Enhancing Local Employment Opportunities in Lyonshall**

(Page 29)

Proposals for appropriate new economic development at Burgoyne's Industrial Estate as denoted on the Lyonshall Village Policies Map as Site LB1 will be supported provided that:

1. Development is for small scale business units (B1 use);
2. Adequate on-site car parking is provided for occupiers and visitors and suitable access is provided to the A480 and A44 respectively;
3. Amenity of neighbouring residential areas is protected, and suitable screening and landscaping is provided using a mix of native, locally appropriate, deciduous species;
4. Development is of a high design quality which is sensitive to the character of the surrounding rural area; and
5. Suitable and safe provision is made for access by pedestrians and cyclists.



**Policy LB2 Supporting Rural Diversification**

(Page 30)

Rural diversification will be encouraged where the restoration of redundant buildings is to a standard that enhances the quality of living for the inhabitants.

Modest alterations including adequate provision of daylight, and extensions, will be supported.

**Policy LB3 Large Agricultural Buildings and Extensions**

(Page 31)

Any proposals for poly-tunnels, large agricultural buildings and other rural business buildings which require planning consent will be required to take into consideration any adverse impact on local landscape features, and to provide suitable measures for mitigation. Buildings should be sited on lower ground and slopes wherever possible and should not be in prominent locations on the skyline. However large broiler houses may be sited on higher ground to help reduce and disperse unpleasant odours, where adverse impacts on the landscape and long distance views are minimised through suitable screening and landscaping. Landscaping conditions will be required to disguise the buildings over 10 years, creating a wooded area.

Development proposals should protect or mitigate impacts on protected species and habitats and the creation, restoration and enhancement of local habitats will be encouraged as part of landscaping schemes.

Development of poly-tunnels, large agricultural buildings and other rural business buildings that adversely affect the setting of listed buildings, scheduled monuments, registered or unregistered historic parks and gardens or other local heritage assets will not be permitted. All such developments should be a minimum of 500m from a property boundary.

Development of poly-tunnels, large agricultural buildings and other rural business buildings which have an unacceptable adverse impact on the amenity of residents of nearby dwellings will not be permitted. Development proposals should give careful consideration to noise, light and smells which might spoil the enjoyment of the area by neighbouring occupiers. Light pollution should be minimised wherever possible and security lighting should be appropriate, unobtrusive and energy efficient.

Applicants will be required to demonstrate that the vehicular means of access and local highway network (in terms of design and capacity) are adequate to cater for increases in traffic generation in terms of numbers and types of vehicles.

Operating broiler house businesses wishing to expand existing sites or propose new

developments will be required to comply with the night-time vehicle restriction on all sites within an operating group.

### **Policy LB4 Local Energy Schemes**

(Page 32)

Small scale renewable energy schemes and community-led energy schemes will be supported in Lyonshall Parish provided any adverse impacts on landscape character and built heritage are mitigated by siting, design and landscaping / screening.

Schemes for solar panels on existing roofs of large agricultural buildings and domestic buildings will be supported.

No further bio digesters will be supported as the local highway infrastructure cannot safely sustain it.

The topographical and rural setting of Lyonshall parish is not suitable for wind turbine generators. They will be resisted.

### **Policy LE1 Protecting and Enhancing Local Landscape Character and Built Heritage**

(Page 34)

Development proposals should: -

1. Demonstrate in the Design and Access Statement that the 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.
2. Conserve and enhance the natural, historic and scenic beauty of important landscapes and features, and maintain and extend tree cover.
3. Protect existing hedgerows and use locally appropriate native species in new hedgerows. Mature trees and other important landscape features should be protected where practicable and used positively to enhance landscaping schemes. If removed, they should be replaced with semi-mature trees of at least 5 metres in height.
4. Where possible new development should incorporate the planting of semi-mature trees of locally appropriate species in landscaping schemes. The choice of tree type and size should have regard to the site context and proximity to any nearby buildings.

5. Incorporate wire and hedging where possible for site and plot boundaries as this is more appropriate to the local context than solid fencing.
6. Be designed to protect and enhance the setting of important buildings and other heritage assets, particularly traditional rural buildings such as black and white timber framed farm houses and cottages.

### **Policy LE2 Protecting and Enhancing Local Wildlife**

(Page 35)

Development proposals that impact on local wildlife and habitats identified on Maps 6 and 7 will not be prevented, but they should demonstrate how biodiversity will be protected and enhanced.

New developments should retain and incorporate natural habitats such as trees and hedgerows as far as practicable. Where not practicable, changes should provide an enhanced habitat for wildlife, and ponds and watercourses if moved should provide an enhanced environment.

Substantial harm to or loss of irreplaceable habitats such as ancient woodland, should be wholly exceptional and only permitted where the development is to aid the maintenance and enhancement of the habitat. Where development proposals are located close to areas of ancient woodland or veteran trees, a buffer strip of 25m should be provided to protect the core of the woodland.

Where possible, schemes should incorporate measures which support and enhance local wildlife such as swift bricks, owl and bat boxes, and landscaping schemes should include the planting of locally appropriate species and wildlife meadows which support biodiversity.

### **Policy LC1 Memorial Hall**

(Page 39)

Development which contributes towards the provision of new recreational, community and educational facilities will be supported on Site D on the Lyonshall Village Policies Map.

The building should be capable of hosting parties of 100-200 people, with all supporting facilities and with at least one designated meeting room, thus ensuring a sustainable future.

Buildings should be designed sensitively to complement the built heritage of Lyonshall, and any redevelopment must carry forward and enhance the hall's role as a memorial.

However, they need not imitate earlier architectural periods or styles, and imaginative modern designs will be encouraged.

The development proposals should include measures to protect local residential amenity and minimise disturbance from noise. Adequate car and cycle parking for users should be provided on site and where possible improved pedestrian access from the village.

### **Policy LC2 Open Space**

(Page 40)

The Children’s Play Area opposite the Royal George Public House as shown on the Lyonshall Village Policies Map as LC2 is protected from development.

Provision of new and enhanced public open space which gives improved facilities for the community such as allotments, will be supported and encouraged as part of developer contributions.

Such contributions towards open space provision may be included on site as part of new housing schemes or by means of a financial contribution towards an off-site facility in a suitable new location within the village of Lyonshall.

### **Policy LT1 Transport and Accessibility**

(Page 40)

New residential and employment development should encourage walking and cycling for short journeys where this is practicable. This could include provision of safe and accessible routes linking to existing public footpaths, cycleways, and local facilities.

New development should be accessible to public transport services and facilities such as bus stops.

# 1.0 Introduction and Background

Map 1 Lyonshall Designated Neighbourhood Area and Parish Boundary



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## 1.1 Lyonshall Parish

- 1.1.1 The Parish of Lyonshall lies just to the east of Kington, about 12 miles west of Leominster and 16.5 miles north west of Hereford. The A44 traverses the parish east-west and bisects it north/south. The Parish is very rural in character; it extends over 1,926 hectares and had a population of 757 in 2011 (2011 Census), 576 voters of which 49 reside at Lynhales Nursing home. The Parish includes 26 Listed Buildings and Scheduled Monuments, including Lyonshall Castle and a section of Offa's Dyke which runs across the middle of the area north west to south east. The River Arrow forms part of the northern boundary and the Parish has numerous areas of wildlife value including ancient woodlands and Local Wildlife Sites.
- 1.1.2 The main settlements are the village of Lyonshall and the smaller settlement of Holme Marsh, and these two built up areas will be the focus of any new housing development in the Parish, in line with the adopted Herefordshire Core Strategy Local Plan 2011 - 2031<sup>1</sup>.

## 1.2 What is a Neighbourhood Development Plan (NDP)?

- 1.2.1 Neighbourhood Development Plans (NDPs) were introduced through the Localism Act 2011 to allow local people to prepare their own distinctive local planning policy document, reflecting the needs and priorities of their communities. NDPs can be used to identify where new homes, commercial and community buildings should be built, and to decide on what those new buildings should look like. Planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. Made (adopted) NDPs are part of the local statutory development plan, and therefore are used to help determine planning applications in that area.
- 1.2.2 NDPs cannot be prepared in isolation. They are required to have regard to national planning policies (set out in the National Policy Planning Framework (NPPF)<sup>2</sup>, Planning Practice Guidance (PPG)<sup>3</sup> and other Government statements and guidance and to be in general conformity with strategic policies in the development plan. The relevant Local Planning Authority for Lyonshall is Herefordshire Council and the current statutory development plan comprises Herefordshire Local Plan Core Strategy 2011 – 2031, adopted on 16<sup>th</sup> October 2015. The NDP has the same plan period as the adopted Local Plan ie up to 2031.

## 1.3 A Neighbourhood Development Plan for Lyonshall Parish

- 1.3.1 The Neighbourhood plan area was designated by Herefordshire Council on 31<sup>st</sup> July 2012 and is the same as the Parish boundary - see Map 1. Questionnaires and surveys were undertaken in 2012 and 2013 and a Housing Needs Survey was undertaken in 2017.
- 1.3.2 For the Issues and Options consultation two presentations and open drop in sessions were held on 20<sup>th</sup> and 23<sup>rd</sup> July 2017 at the Memorial Hall and responses were invited in writing or using a comments form. The consultation process was promoted locally using postcards delivered to all households, posters, parish newsletter, and notices on the NDP website. Overall there were almost 100 responses to the questions in the consultation (there are 576 on the Electoral Roll), and the full set of responses are provided on the NDP website: <http://lyonshall.net/ndp-home-page/ndp-evidence> .

<sup>1</sup> [https://www.herefordshire.gov.uk/info/200185/local\\_plan/137/adopted\\_core\\_strategy/2](https://www.herefordshire.gov.uk/info/200185/local_plan/137/adopted_core_strategy/2)

<sup>2</sup> <https://www.gov.uk/guidance/national-planning-policy-framework>

<sup>3</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

- 1.3.3 The Draft NDP was published for at least 6 weeks formal public consultation (Regulation 14) from Wednesday 24<sup>th</sup> October to Friday 7<sup>th</sup> December. The document and comments form were published on the NDP website: <http://lyonshall.net/ndp-home-page/ndp-evidence> and hard copies of the documents were available to borrow from the members of the steering group and parish clerk, and were placed in several locations including the Church Porch, the Garden Centre, the Cattle Shed, Penrhos Court and in Burgoyne's reception. Responses could be deposited in boxes provided at these locations, or posted to the Clerk, or returned by email before 5.00pm Friday 7<sup>th</sup> December 2018.
- 1.3.4 Further detailed information about both the informal and formal (Regulation 14) public consultation processes and how the responses helped to shape the Submission Version of the NDP are provided in the accompanying Consultation Statement.
- 1.3.5 Lyonshall Parish Council submitted the Neighbourhood Development Plan to Herefordshire Council on 22<sup>nd</sup> January 2019. Herefordshire Council published the Plan for formal consultation from 25<sup>th</sup> January to 8<sup>th</sup> March 2019. The examination of the NDP was undertaken from March to September 2019.
- 1.3.6 Throughout all the consultations, responses have shown that there is an overwhelming desire to 'maintain the essential rural character of the Village and the wider Parish'. This will be the overriding aim in building a planning framework for Lyonshall Parish. The NDP focuses on those areas where it can have a real impact. For those areas outside the scope of land use planning policies, short paragraphs acknowledge the objectives and empower the community and Parish Council to move towards its goals through a series of identified actions. Two major factors determine these areas: -
- A lack of funding both in the short and longer term;
  - National and planning policies which provide the strategic planning framework for the Lyonshall NDP, and within which our plan has to sit.
- 1.3.7 Once made (adopted), the NDP will be a working document for planning officers determining planning applications for new development and re-use of existing buildings in Lyonshall. Consequently, we have tried to assist them by keeping it short and very clear.
- 1.3.8 The Localism Act 2011 sought to give communities an effective democratic say in the way their neighbourhood is developed. The emphasis is on a democratic process, and everything in this document has come out of the detailed consultations held so far on the NDP. Everyone on the electoral roll in Lyonshall Parish will be invited to vote in a local referendum on whether the Plan should be used to help determine local planning applications. A majority 'yes' vote will mean that the NDP can be made and so become part of the statutory planning framework in Herefordshire.
- 1.3.9 To secure a 'yes' vote, the NDP has to be locally relevant to residents, reflecting their priorities and concerns.

## 2.0 Vision and Objectives

- 2.1 The Lyonshall NDP vision, approved by over 90% of the respondents to the consultation (Issues and Options) is for: -

### Vision

A village which retains its essential rural character while developing services, housing, facilities and opportunities which continue to benefit the village and wider Parish and meet the needs and aspirations of current and future local people.

- 2.2 The approved objectives to achieve this Vision are: -

### Objectives

**OBJECTIVE 1 - HOUSING:** To promote sustainability through thoughtful and considered development of a range of housing.

(Policies LH1, LH2 and LH3)

**OBJECTIVE 2 - JOBS:** To support opportunities for local employment and business appropriate to the area's rural character and agricultural economy.

(Policies LB1, LB2, LB3 and LB4)

**OBJECTIVE 3 - NATURE:** To protect and enhance the local natural environment including wildlife and landscape.

(Policies LE1 and LE2)

**OBJECTIVE 4 - SERVICES & AMENITIES:** To support and promote existing amenities and services including sustainable transport and whenever possible encourage new ones.

(Policies LC1 and LC2)

**OBJECTIVE 5 - ACCESS:** To encourage improved accessibility and activities for all, such as walking and cycling.

(Policies LH1, LB1 and LT1)

- 2.3 The Issues and Options consultation showed that the principal wish of the people was to maintain Lyonshall's essential character, and to enhance it, partly through growth. But there was also a fear that the good-sized pieces of land included within the new settlement boundaries might be used to build over-large estates, at densities which would transform the character of Lyonshall rather than enhance it. Therefore, it has been decided to maintain Lyonshall's existing housing density on any future development sites. [see Appendix 1 - Housing Character and Density].
- 2.4 The planning policies and proposals in the Submission NDP have been prepared to deliver this Vision and the five Objectives.



## 3.0 Planning Policies

### 3.1 Housing

#### Introduction

- 3.1.1 The planning framework for housing growth in Lyonshall Parish is set out in the Herefordshire adopted Local Plan Core Strategy 2011 – 2031 [The Core Strategy]. Policy RA1 Rural Housing Distribution sets the indicative target housing growth rate for Kington Rural Housing Market Area (within which Lyonshall Parish lies) at 12%. This equates to a minimum of 36 new houses in the Parish by 2031.
- 3.1.2 Policy RA2 identifies two settlements for housing growth in the Parish. Lyonshall (village) is identified in Table 4.14 as the main focus of proportionate housing development, and Holme Marsh is identified in Table 4.15 as a settlement where proportionate housing is appropriate. Outside these settlements the rural area policies (Policies RA3, RA4 and RA5) will apply.
- 3.1.3 From April 2011 to April 2018 (the latest figures available from Herefordshire Council), 25 new houses were built in the parish. As at January 2019 existing commitments (where planning permission has been granted but development has not been implemented) number a further 47 houses and 6 houses are under construction. 1 unit was lost thorough conversion. This gives a total net figure of 77 ( $25 + 47 + 6 - 1 = 77$ ) new houses already built or committed in Lyonshall parish, exceeding the minimum indicative housing growth target for Lyonshall by 41 units ( $77 - 36 = 41$ ). However, NDPs can plan for more housing than the minimum requirement.
- 3.1.4 Throughout the consultations the strongest theme has been a desire to retain the essential rural character of Lyonshall, while the most recent survey also showed that over 75% of respondents favour more development in the village. Houses in Lyonshall are largely individually designed and have been developed over many years. There are two estates of 15 houses, but 84.9% of the respondents to the last survey wanted only smaller-scale mixed developments in the future. The housing policies in the Neighbourhood Development Plan reflect those wishes, and also seek to comply with the requirement of the Local Plan that development be sustainable in the broadest sense.





#### Lyonshall Village Settlement Boundary

- 3.1.5 The response to the Issues and Options consultation demonstrated overwhelming local support for some further new housing development in the Parish, provided it is sensitive to local character. 77.4% of respondents supported more new housing and, of these, 39.8% favoured more than 30 units, with 37.6% preferring fewer than 30 units. 71% of respondents also supported further development which could include developer contributions towards improving community assets such as the Memorial Hall.
- 3.1.6 Since the Core Strategy housing requirement already has been more than met through new developments and commitments, the Parish Council considered that there was no need to undertake a call for sites and site assessment process for the NDP. The NDP steering group identified proposed settlement boundaries for Lyonshall Village and Holme Marsh based on

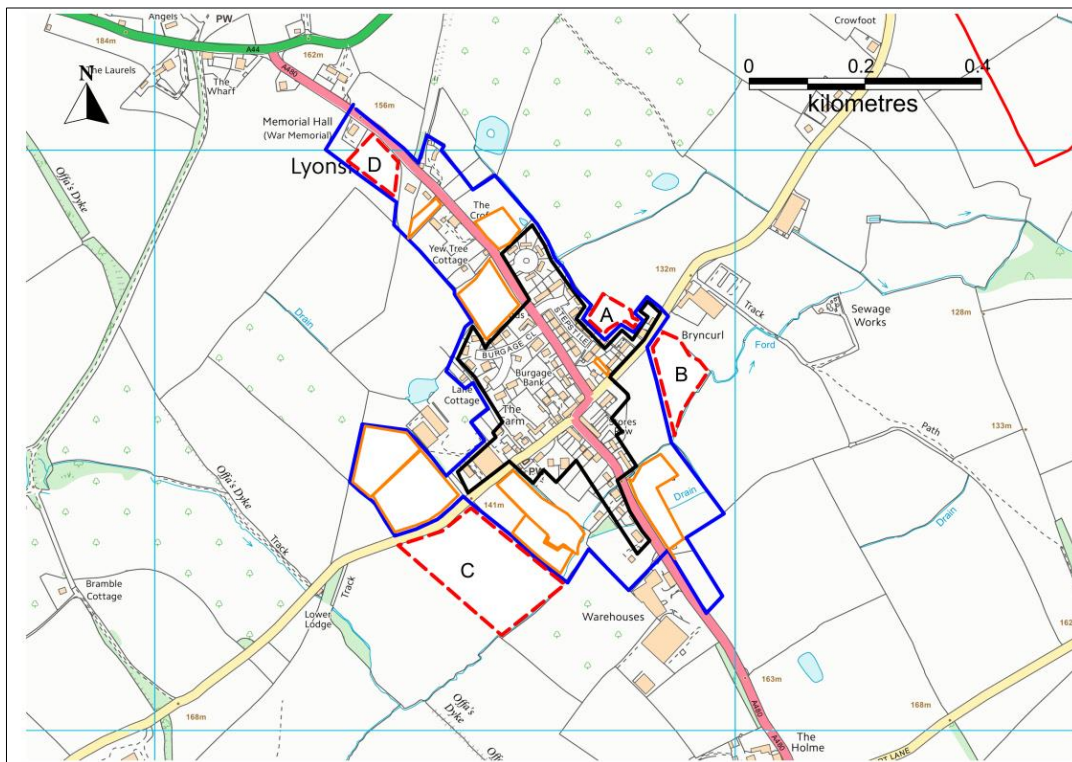
the former UDP settlement boundary for Lyonshall and taking into consideration information set out in guidance published by Herefordshire Council<sup>4</sup>.

3.1.7 However, leading up to and during the consultation on Issues and Options, the Parish Council was approached by local landowners proposing potential areas of land as suitable for new housing development around Lyonshall village. There was therefore a need to consider whether any or all of those areas should be included within the new settlement boundary as possible housing site allocations.

3.1.8 A map was included in the Issues and Options consultation, showing the following: -

-  The former UDP settlement boundary
-  The proposed new settlement boundary
-  Existing commitments
-  Possible extensions to the settlement boundary to incorporate land put forward by landowners

Map 2 Issues and Options Consultation - Lyonshall Village Settlement Boundary



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<sup>4</sup> Neighbourhood Planning Guidance Note 20: Settlement Boundaries, Revised June 2015 - See: [https://www.herefordshire.gov.uk/downloads/download/490/neighbourhood\\_planning\\_guidance\\_documents](https://www.herefordshire.gov.uk/downloads/download/490/neighbourhood_planning_guidance_documents)

3.1.9 The responses showed significant support for the inclusion of all four areas of land within the settlement boundary: -

Site A 68.8%  
 Site B 60.2%  
 Site C 67.7%  
 Site D 75.3%

3.1.10 Given this clear support for all four sites, the NDP proposes that they be included within the settlement boundary. However, recognising the narrow majority in favour of more than 30 extra houses, landowners have agreed to restrict their developments as shown in Table 1 below.

3.1.11 During the informal consultation on the First Draft Plan, another Lyonshall landowner came forward with a proposal for a fifth site to be included within the settlement boundary. The proposal is for 2 dwellings to the north of the railway at an appropriate density, mirroring the two dwellings across the road in site D. The NDP Steering Group recommended the inclusion of this site (Site E) within the settlement boundary.

3.1.12 Research completed following the Issues and Options consultation demonstrates that the densities of developments and building approvals in Lyonshall are on average between 10 and 11 dwellings per hectare [dph], with affordable housing at a higher figure (see Appendix 1 - Housing Character and Density). Recent approvals following the implementation of the Core Strategy include housing densities of 11 and 13 respectively. This plan therefore allows for a density of 12 dph for developments of market houses within the Village settlement and 25 dph for affordable housing, to maintain the existing essential character of the village but to ensure that development of affordable housing is not prevented.

3.1.13 Table 1 below indicates permitted housing numbers for each proposed site allocation, based on a maximum of 12 dph. These figures have been agreed with the landowners, and the lower relative number on site C reflects the fact that areas at the edge of the village have historically enjoyed a lower density as the roads transition from open countryside to the village. Site C will also benefit from additional landscaping requirements to maintain that transition. This has been agreed with the landowner.

Table 1 Potential Housing Numbers of Site Allocations by Area

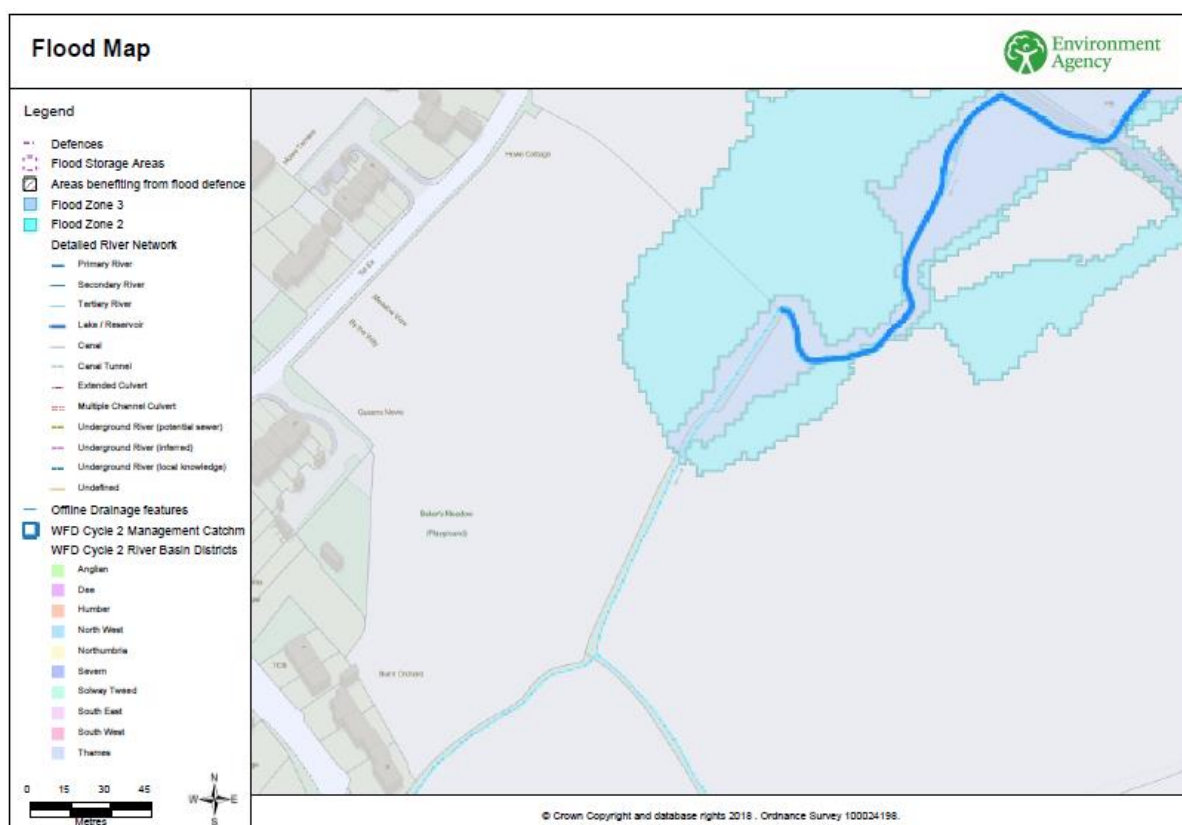
Site Allocation	Approximate Area (Hectares)	Maximum Number of Houses
A Orchard behind Howe Terrace	0.41	5 @ 12 dph
B Bakers Meadow	1.64 including Bakers Meadow but excluding area of flood risk -see 3.1.15 below.	18 @11 dph
C Land off Spond Lane opposite the Barns	2.87	18 @6 dph
D Land adjoining the Memorial Hall	0.48	2 @ 4 dph
E Land opposite the Memorial Hall	0.17	2 @ 12 dph
<b>Total</b>	<b>5.57</b>	<b>45 dwellings</b>

3.1.14 It is on the basis of these densities, evident in the village and favoured by the people of Lyonshall, that the five development sites will be accepted within the Lyonshall Village settlement boundary.

## Flood Risk

- 3.1.15 At the Regulation 14 consultation stage representations were submitted by the Environment Agency expressing concern at the lack of information within the NDP relating to the water environment, notably flood risk. The area to the south and east of the village includes an area of known fluvial flood risk as shown on Map 3 below (as provided by the Environment Agency). The settlement boundary and proposed site allocation B has been amended to exclude this area and Policy LH1 has been amended to include additional text to guide development away from areas of known flood risk. Flood Maps for Planning for other areas of the Parish can be found at <https://flood-map-for-planning.service.gov.uk/>.

Map 3 Flood Map, Area to South and East of Village of Lyonshall



- 3.1.16 Herefordshire Council's Strategic Flood Risk Assessment (SFRA) was published in 2009 as part of the evidence base for the adopted Core Strategy but at that time it did not include a detailed assessment of the impacts of flooding in rural parishes. It is understood that Herefordshire Council will be undertaking further updates and revisions to this document, which is now seven years old, in consideration of flood risk, especially in the rural areas. Development proposals will be expected to take account of the new SFRA following its publication.

## Public Sewage System

- 3.1.17 The settlements of Lyonshall and Holme Marsh are served by Welsh Water's Lyonshall Wastewater Treatment Works (WwTW). During the Regulation 14 public consultation Welsh Water advised that reinforcement works have been undertaken to the sewerage network

within Lyonshall. The reinforcement works are now complete and Welsh Water is currently assessing both the sewerage network and WwTW to determine how performance has been impacted and will undertake any further reinforcement works as may be necessary.

- 3.1.18 Welsh Water are therefore advising Herefordshire Council that a Grampian style planning condition of 31<sup>st</sup> March 2020 should be applied to new development to ensure there is sufficient headroom available at the WwTW. Following this date, the foul-only flows from the housing growth proposed within the Neighbourhood Plan can be accommodated.

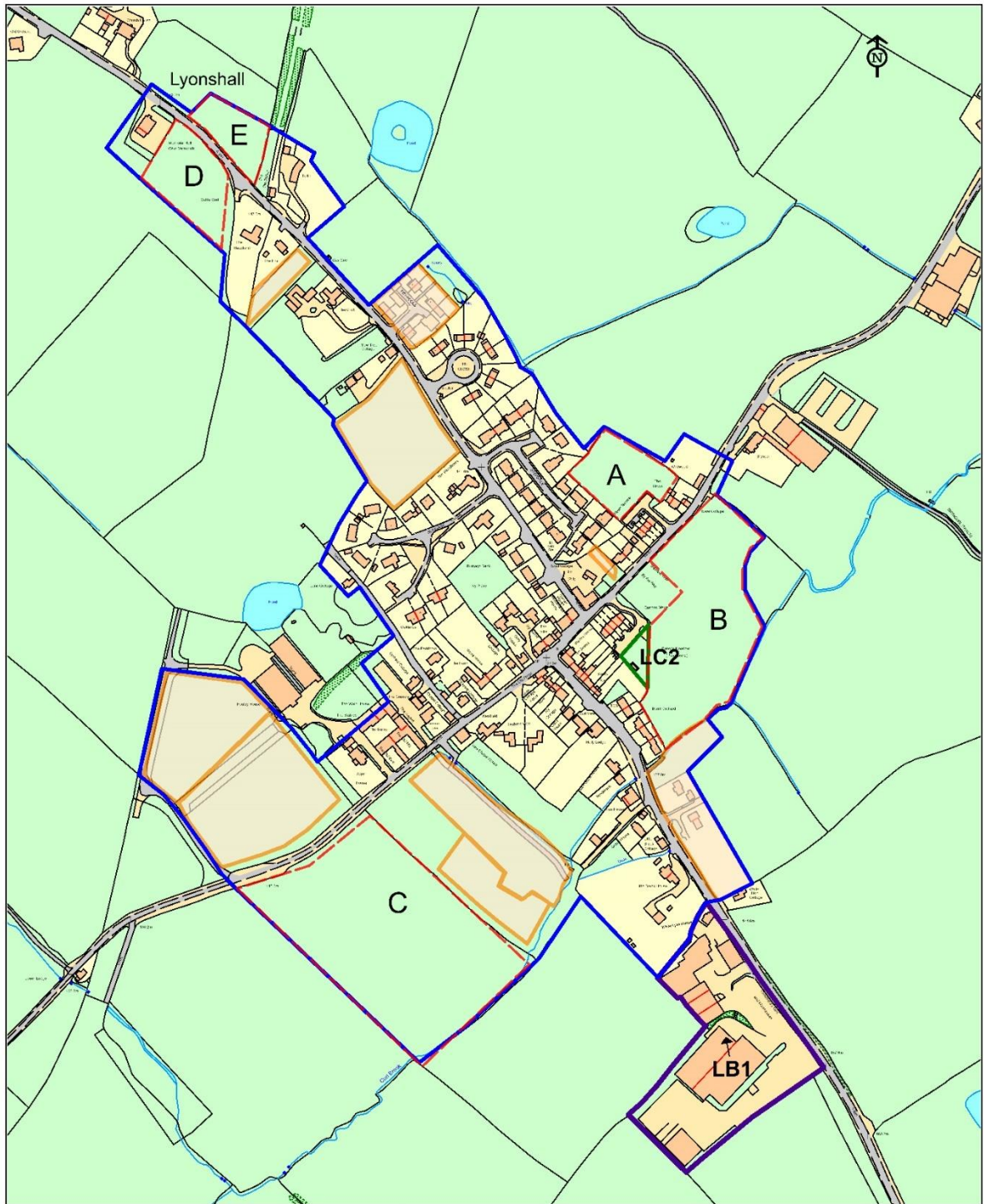
#### **Post Examination Changes to the Lyonshall Village Settlement Boundary**

- 3.1.19 In the examination Report, September 2019, the examiner recommended that the settlement boundary for Lyonshall village should be re-drawn to exclude two areas of land, namely the land to the rear of recent development at White Lions Meadow and the field opposite "Yew Tree Croft" (Yew Tree Cottage), in response to a small number of objections about the proposed level of growth in Lyonshall. These areas were not identified as site allocations on the Policies Map in the Submission NDP (January 2019) but were areas of land within the settlement boundary. Map 4 has been amended accordingly.

#### **Holme Marsh Settlement Boundary**

- 3.1.20 The proposed settlement boundary for Holme Marsh was also included in the Issues and Options consultation. Overall 68.8% of respondents supported the proposed settlement boundaries for both settlements, and the settlement boundary for Holme Marsh was carried forward unchanged into the First Draft NDP and is retained in the NDP. However, as a small settlement separated from the village, its housing density has been set at 8 dph.
- 3.1.21 Development within the settlement boundaries for Lyonshall village and Holme Marsh will be guided by the criteria in Policy LH1 Settlement Boundaries and other policies in the Lyonshall NDP. These criteria have been determined following analysis and review of all the comments from the Issues and Options consultation and the earlier questionnaires and the responses to the Regulation 14 public consultation.

Map 4 Lyonshall Village Policy Map



<b>Lyonshall Settlement Boundary</b>	<b>Site Allocations</b>	<b>Lyonshall Commitments</b>
		
<b>Former Settlement Boundary</b>	<b>LC2 Children's Play Area</b>	<b>LB1 Burgoyne's Industrial Estate</b>
		



## Policy LH1 Settlement Boundaries and Housing Site Allocations

The settlement boundaries for the two settlements of Lyonshall village and Holme Marsh are defined on Policy Map 4 and Policy Map 5.

The following site allocations are identified for new housing within the settlement boundary of Lyonshall village as shown on Policy Map 4:

- Site A: Orchard behind Howe Terrace (5 units)
- Site B: Bakers Meadow (18 units)
- Site C: Land off Spond Lane opposite the Barns (18 units)
- Site D: Land adjoining the Memorial Hall (2 units)
- Site E: Land opposite the Memorial Hall (2 units).

Additional landscaping should be provided on Site C to enhance the transition from open countryside to the built up area of the village. Site specific Flood Risk Assessments will be required for Sites B and C when planning applications for these sites are submitted.

Within the settlement boundaries, new housing development will be supported provided that:

1. Schemes are small to medium in scale. Up to 5 units are preferred, but larger schemes of around 15 - 18 units will be considered, provided they guarantee the delivery of affordable units as defined in the National Planning Policy Framework [NPPF].
2. Development responds positively and sensitively to local character and setting.
3. The development is of a low density appropriate to the rural village character of each settlement, defined as a maximum of 12 dwellings per hectare of the site for market housing in the Lyonshall village centre, 8 dwellings per hectare in Holme Marsh, and 25 dwellings per hectare for affordable housing.
4. Front gardens with a minimum depth of 7 metres are provided, and rear gardens of adequate size to encourage food growing to support healthy lifestyles.
5. Access, car parking and servicing arrangements meet the Highway Authority's requirements.
6. Suitable and safe provision is made for access by pedestrians and cyclists.
7. Proposals effectively manage surface water drainage. Development should not result in increased run-off from the site but should achieve a reduction



in rate and volume where possible. Sustainable building designs that incorporate grey water storage will be encouraged.

8. Proposals should follow a sequential approach to flood risk with all built development being located within Flood Zone 1, the low risk zone, in the first instance.

### House Types and Sizes

3.1.22 In the Issues and Options consultation, local residents suggested that a range of house types and sizes were required across the two settlements. Several comments also highlighted a need for smaller homes such as for the elderly, or 3-bedroom semi-detached houses for young owner-occupiers.

3.1.23 Evidence of housing need was taken from a number of local sources, including: -

- Herefordshire Council Local Housing Market Assessment (2012 Update: Draft Report, November 2013)
- A Study of the Housing and Support Needs of Older People in Herefordshire, 2012, Peter Fletcher Associates and Arc4
- Lyonshall NDP Housing Survey 2017.

3.1.24 The first two of these documents highlighted the present and future needs of older people. There was a general consensus that in the Kington Rural Housing Market Area there is a need for small to medium-sized homes, both in market housing and affordable housing, up to 2031. It was recommended that the housing needs of the ageing population be addressed in various ways, but with an emphasis on flexibility, with dwellings suitable for the elderly being non-specialist, so that they would just as easily accommodate young families. Mixed developments were recommended, to create genuine lifetime communities. In the Housing Market Assessment of 2011, it was reported that 41% of the population was aged 55 and over, and this percentage was expected to increase significantly, with 24% more people aged 55 and over by 2031.

3.1.25 Interestingly, The Lyonshall NDP Housing Survey 2017 revealed a rather different picture in Lyonshall, including the following headline results: -

- 74% of respondents were aged 55+ years. This is already 45% greater than Herefordshire Council's projection for 2031.
- 85% of respondents intended to stay in Lyonshall, with 69% intending to stay in their current property and 8% intending to move to a smaller property in Lyonshall.

The demand for homes for the elderly is therefore not judged to be as large or as urgent as it may be elsewhere in Herefordshire. However, it is clear that a majority of local residents favour mixed developments with a sensible proportion of smaller dwellings.

3.1.26 These further results also emerged from the NDP Housing Survey: -

- 86% of respondents supported the provision of a mix of housing.
- 83% of respondents supported sustainable housing.
- 19% of respondents were in households with one or more children wanting homes in Lyonshall.

- The most popular housing preferences included affordable housing (45% of respondents), private family (37%), self-build (34%) and single storey (31%).
- 3.1.27 National planning policy sets out that developments of more than 10 dwellings with a combined gross floor space of more than 1000m<sup>2</sup> will be required to provide an element of affordable housing. This is carried forward into Herefordshire Core Strategy Policy H1 - Affordable housing – thresholds and targets.
- 3.1.28 The Lyonshall NDP Housing Survey 2017 showed that 45% of respondents regarded affordable housing as desirable, whereas in the Issues and Options consultation, 84.9% of respondents were against estates of more than 5 houses. But affordable housing need not be provided by requirement only: Lyonshall has welcomed it over a long period, and in small developments of fewer than 10 dwellings. It is worth noting, however, that the last 3 vacancies in the existing affordable housing stock attracted no Lyonshall residents, and had to be filled from outside the Parish [see Appendix 4]
- 3.1.29 With the exception of the four sites referred in Table 1, the remaining developments within the new boundary will be infill sites and not of a size to require affordable housing. Two of the four sites in Table 1 are large enough to require affordable housing as part of the development, and this was a part of the reason for including them. However, the development of affordable housing by Housing Associations on suitable exception sites will be encouraged.

### Policy LH2 House Types and Sizes

Over the plan period a range of dwelling sizes, types and tenures should be provided in new housing developments, to meet local need. Developments on sites of more than 10 dwellings should aim to meet a target of 35% affordable housing provision and developers should ensure proposals respond to the most up to date evidence of local housing need.

A suitable proportion based on an up to date assessment of housing needs of small to medium sized market homes and affordable housing (up to 3 bedrooms) will be encouraged for first time buyers, smaller households and older residents wishing to downsize within the local area. Schemes that provide specialist supported accommodation for older residents will also be supported.

Schemes for self-build housing will be encouraged and supported.

Proposals for the re-use of redundant agricultural buildings for housing will be supported where they meet the criteria set out in Policy LB2.

### Promoting High Quality Design

- 3.1.30 In the Issues and Options consultation local residents were clearly concerned that new development should be designed sensitively, responding positively to the existing village character and rural setting. Consequently, in the design and access statements, applicants should demonstrate that their developments meet these concerns.

- 3.1.31 Development should also be mindful of the significant local built heritage in the Parish. There are 20 Listed Buildings, 5 Scheduled Monuments and part of a Historic Park/Garden in Lyonshall as well as 5 unregistered parks and gardens in the Parish. More information about this is provided in Appendix 3.

### Policy LH3 Promoting High Quality Design

New development should demonstrate a positive approach to design. In particular, development schemes should incorporate the following design principles:

1. New development should enhance and reinforce the style and structure of the village, both in Lyonshall and Holme Marsh. A proposal for new housing should not feature a generic scheme but should demonstrate how it responds to the character of the site and its surroundings, in scale, mass and built form [as described in Appendix 1 - Housing Character and Density].<sup>5</sup>
2. Layouts should respect the traditional village form in each settlement. In the centre of Lyonshall village, individual properties should follow a linear pattern, fronting the road and set back within garden plots, while dwellings in larger developments should also be set back from their access roads or common spaces. Towards the edge of the village and in Holme Marsh, development should be more scattered in form, with low plot density and individual properties set within large plots. Landscaping and planting for screening, separating and simply as attractive features should be defined in all proposals. In all areas, plot sizes should allow for suitable external storage facilities such as cycle storage units, sheds and garages.
3. Where planning permission is required, extensions to existing buildings should be in scale and in character with the original building.
4. Schemes that include provision for home working such as office space / annexes will be encouraged.
5. Groups of new buildings should contain a mixture of types, in sympathy with each other, but not identical in shape, style or design. The form and detailing of individual dwellings is expected to be robust and engaging, designed to give pleasure to occupiers, villagers and passers-by.
6. Materials should be chosen to add to the quality or character of the surrounding environment. Their quality is very important, and in particular their weathering characteristics over the life of the building. Where possible, locally appropriate materials should be used. However, new development proposals need not imitate earlier architectural periods or

<sup>5</sup> See also the full document with photographs on [lyonshall.net](http://lyonshall.net).

styles, and imaginative, modern and sustainable designs will be encouraged wherever possible.

7. Proposals should be designed to minimise adverse impacts on neighbours and general local amenity, giving careful consideration to noise, light and smells.

## 3.2 Business

### Introduction

- 3.2.1 Lyonshall Parish has a chiefly rural local economy. It is home to some dozen farms, including 6 intensive poultry-rearing units, and encompasses many hectares of fruit and cider orchards.
- 3.2.2 In addition to agriculture, a number of businesses in the Parish provide local employment opportunities. These include: -
- Haulage, transport and marquee hire
  - Waste Management
  - Renovation of redundant buildings for leisure use
  - Nursing home
  - Garden centre
  - Furniture making
  - Holiday lets and Bed and breakfast
  - Home based businesses – widely based professional, internet, craft, trades etc.
- 3.2.3 The Herefordshire Local Plan Core Strategy Policy RA6 Rural Economy supports appropriate economic development to help diversify rural economies. This could include knowledge-based creative industries, environmental technologies, business diversification projects and home working.
- 3.2.4 The Issues and Options consultation demonstrated strong local support (93.5%) for a planning policy which encourages investment in tourism and small-scale rural enterprises, and there was also a desire (77.5%) for the NDP to identify an area, linked to existing commercial sites, where further local employment could be developed. It was suggested that re-use of redundant buildings and brown field sites should be the priority.

### Protecting and Enhancing Existing Local Employment Areas

- 3.2.5 Burgoyne's, the haulage, transport and marquee hire firm is a major local employer. It lies between the village and Holme Marsh, on the A480. Limited expansion of the existing site will be encouraged, provided that the amenity of nearby residential areas is protected.

### Policy LB1 Protecting and Enhancing Local Employment Opportunities in Lyonshall

Proposals for appropriate new economic development at Burgoynes Industrial Estate as denoted on the Lyonshall Village Policies Map as Site LB1 will be supported provided that:

1. Development is for small scale business units (B1 use);
2. Adequate on-site car parking is provided for occupiers and visitors and suitable access is provided to the A480 and A44 respectively;
3. Amenity of neighbouring residential areas is protected, and suitable screening and landscaping is provided using a mix of native, locally appropriate, deciduous species;
4. Development is of a high design quality which is sensitive to the character of the surrounding rural area; and
5. Suitable and safe provision is made for access by pedestrians and cyclists.

#### Rural Enterprise and Tourism

- 3.2.6 Public consultations for the NDP have indicated that there is local support for a positive planning framework to guide economic investment in the Parish and provide a wider range of employment opportunities. Herefordshire Core Strategy has a detailed policy RA6 covering rural enterprise including home-based working and small business. There is nothing this plan can do to improve that.
- 3.2.7 As farming practices continue to change, old and redundant agricultural buildings may be converted to provide employment opportunities such as remote office working, craft, or professional use, or may be linked to tourism, provided such conversion and development is sensitive to local heritage assets and character.
- 3.2.8 Lyonshall Parish has many opportunities for economic investment related to tourism activities. Local attractions of historic interest include the 13<sup>th</sup> century church and castle ruins and a section of Offa's Dyke including several stretches of the original bank.
- 3.2.9 Herefordshire Local Plan Core Strategy Policy RA5 – Re-use of rural buildings states that *“the sustainable re-use of individual and groups of redundant or disused buildings, including farmsteads in rural areas, which will make a positive contribution to rural businesses and enterprise and support the local economy (including live work units) or which otherwise contributes to residential development, or is essential to the social well-being of the countryside, will be permitted”* subject to a number of criteria.

### Policy LB2 Supporting Rural Diversification

Rural diversification will be encouraged where the restoration of redundant buildings is to a standard that enhances the quality of living for the inhabitants.

Modest alterations including adequate provision of daylight, and extensions, will be supported.

### Large Scale Agricultural Buildings

- 3.2.10 Pressure has mounted in recent years for the construction of industrial-sized agricultural units for intensive livestock rearing such as broiler chickens and pig finishing, and for increases in the extent and size of polytunnels and glass houses for horticulture.
- 3.2.11 The parish contains several large broiler units, whose environmental effects are felt by many residents. Frequent and regular heavy traffic is essential to these businesses, giving rise to widespread complaints. Visual impact is generally not bad, because low-lying sites have been chosen, but the downside of this is that the strong smells are not dispersed quickly. Until recently the parish has been supportive of its farmers and tolerant of the extra traffic and regular smelly days, but there is now a rising opinion in the parish that saturation level has been reached.
- 3.2.12 Not all such development requires planning permission (i.e. new development below given size thresholds) but the NDP will guide new development when planning consent is required, to ensure it is sensitive to local character and context. Responses to the Issues and Options consultation demonstrated a high level of local support for a policy (68.8% of respondents would like to see the NDP address this).
- 3.2.13 Policy LB3 provides design guidelines for large agricultural buildings and polytunnels in the rural area, when planning consent is required. Herefordshire Council's adopted Supplementary Planning Document on Poly tunnels<sup>6</sup> has been used to help inform the content of this policy.

<sup>6</sup> [https://www.herefordshire.gov.uk/media/5450290/polytunnels\\_spddec\\_08.pdf](https://www.herefordshire.gov.uk/media/5450290/polytunnels_spddec_08.pdf)

### Policy LB3 Large Agricultural Buildings and Extensions

Any proposals for poly-tunnels, large agricultural buildings and other rural business buildings which require planning consent will be required to take into consideration any adverse impact on local landscape features, and to provide suitable measures for mitigation. Buildings should be sited on lower ground and slopes wherever possible and should not be in prominent locations on the skyline. However large broiler houses may be sited on higher ground to help reduce and disperse unpleasant odours, where adverse impacts on the landscape and long distance views are minimised through suitable screening and landscaping. Landscaping conditions will be required to disguise the buildings over 10 years, creating a wooded area.

Development proposals should protect or mitigate impacts on protected species and habitats and the creation, restoration and enhancement of local habitats will be encouraged as part of landscaping schemes.

Development of poly-tunnels, large agricultural buildings and other rural business buildings that adversely affect the setting of listed buildings, scheduled monuments, registered or unregistered historic parks and gardens or other local heritage assets will not be permitted. All such developments should be a minimum of 500m from a property boundary.

Development of poly-tunnels, large agricultural buildings and other rural business buildings which have an unacceptable adverse impact on the amenity of residents of nearby dwellings will not be permitted. Development proposals should give careful consideration to noise, light and smells which might spoil the enjoyment of the area by neighbouring occupiers. Light pollution should be minimised wherever possible and security lighting should be appropriate, unobtrusive and energy efficient.

Applicants will be required to demonstrate that the vehicular means of access and local highway network (in terms of design and capacity) are adequate to cater for increases in traffic generation in terms of numbers and types of vehicles.

Operating broiler house businesses wishing to expand existing sites or propose new developments will be required to comply with the night-time vehicle restriction on all sites within an operating group.

### Low Carbon Energy Schemes

- 3.2.14 Herefordshire Local Plan Core Strategy Policy SD2 – Renewable and low carbon energy generation supports development proposals that seek to deliver renewable and low carbon energy provided they (amongst other criteria) do not adversely affect residential amenity and do not result in any significant detrimental impact upon the character of the landscape.

- 3.2.15 There may be opportunities for low carbon / renewable energy scheme development in Lyonshall Parish. Such development could support wider sustainability and climate change objectives, provided schemes are of an appropriate scale and design and are sensitive to the character of the rural area and landscape.
- 3.2.16 57% of respondents to the first questionnaire survey supported solar panels on poultry houses as a preferred green energy option, followed by ground source heat pumps. There was no support for bio digesters in the survey, with concerns over utilising food production land and long-distance traffic movements to bring in the waste material. Wind energy equipment was considered to be a blight on the landscape. Following a recent Ministerial Statement<sup>7</sup> planning consent for new wind turbines should only be granted where sites are identified in a neighbourhood plan or local plan and schemes can demonstrate community backing. As there is no apparent local appetite for supporting a wind turbine scheme in the Parish it is proposed that the NDP should not identify a site.
- 3.2.17 There was overwhelming support (91.4%) for a policy to guide new low carbon energy schemes in Lyonshall Parish in the Issues and Options consultation.

#### Policy LB4 Local Energy Schemes

Small scale renewable energy schemes and community-led energy schemes will be supported in Lyonshall Parish provided any adverse impacts on landscape character and built heritage are mitigated by siting, design and landscaping / screening.

Schemes for solar panels on existing roofs of large agricultural buildings and domestic buildings will be supported.

No further bio digesters will be supported as the local highway infrastructure cannot safely sustain it.

The topographical and rural setting of Lyonshall parish is not suitable for wind turbine generators. They will be resisted.

<sup>7</sup> <http://www.publications.parliament.uk/pa/cm201516/cmhansrd/cm150618/wmstext/150618m0001.htm>



### 3.3 Environment

- 3.3.1 Lyonshall Parish has many natural heritage assets which should be protected and enhanced over the plan period. In the Issues and Options consultation 91.4% of respondents supported the idea that the NDP should include policies to protect local landscape character and wildlife.

#### **Landscape Character**

- 3.3.2 Herefordshire Council's Landscape Character Assessment Supplementary Planning Guidance 2004 identifies that Lyonshall Parish includes the Landscape Types of Principal Settled Farmlands and Principal Timbered Farmlands.
- 3.3.3 Principal settled farmlands are settled agricultural landscapes of dispersed, scattered farms, relic commons and small villages and hamlets.
- 3.3.4 Principal Timbered Farmlands are rolling lowland landscapes with occasional steep sided hills and low escarpments.

#### **Built Heritage**

- 3.3.5 Lyonshall has many significant built heritage assets – see SEA maps reproduced as Map 6 and Map 7. There are 20 statutory listed buildings and scheduled monuments in Lyonshall Parish, including Grade II\* Penrhos Court, Grade II\* Church of St Michael and All Angels and scheduled monuments Lyonshall Castle and four sections of Offa's Dyke. A complete list is provided in Appendix 3. There is a buried medieval village site between the memorial hall and the church, this area has been specifically excluded from development to protect it.
- 3.3.6 Adjacent to the church is the site of the castle ruins. The site is in private ownership.
- 3.3.7 Offa's Dyke is evident at several points in the Parish, some of which can be accessed from Lyonshall's well maintained public rights of way.
- 3.3.8 There are 4 registered and 8 unregistered parks and gardens within and bordering the Parish. These are:
- Registered: Broxwood Court; Eywood (border); Nieuport (border); Hergest Croft (border)
  - Unregistered: Lyonshall Park; The Whittern; Castle Weir; Lynhales; Elsdon; Moor Croft, Pembridge (border); Titley Court.
- 3.3.9 Herefordshire Local Plan Core Strategy Policy LD1 – Landscape and townscape - sets out that development proposals should: -
- demonstrate that character of the landscape and townscape has positively influenced the design, scale, nature and site selection, protection and enhancement of the setting of settlements and designated areas; and
  - conserve and enhance the natural, historic and scenic beauty of important landscapes and features, and maintain and extend tree cover.

## Policy LE1 Protecting and Enhancing Local Landscape Character and Built Heritage

Development proposals should: -

1. Demonstrate in the Design and Access Statement that the 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.
2. Conserve and enhance the natural, historic and scenic beauty of important landscapes and features, and maintain and extend tree cover.
3. Protect existing hedgerows and use locally appropriate native species in new hedgerows. Mature trees and other important landscape features should be protected where practicable and used positively to enhance landscaping schemes. If removed, they should be replaced with semi-mature trees of at least 5 metres in height.
4. Where possible new development should incorporate the planting of semi-mature trees of locally appropriate species in landscaping schemes. The choice of tree type and size should have regard to the site context and proximity to any nearby buildings.
5. Incorporate wire and hedging where possible for site and plot boundaries as this is more appropriate to the local context than solid fencing.
6. Be designed to protect and enhance the setting of important buildings and other heritage assets, particularly traditional rural buildings such as black and white timber framed farm houses and cottages.

### Wildlife

3.3.10 Lyonshall Parish also has many areas of wildlife importance and interest. These include (within and adjoining the Parish):

- 10 areas of ancient woodland (Piers Grove Wood; Lyonshall Park Wood; Rise Coppice (border); Crump Oak Wood; Penrhos Wood; Elsdon Wood; Birches Coppice; Longclose Coppice (border); Pennsylvania Wood (border); Ox Pasture & Green Woods). Ancient woodland and notable trees in the Parish are identified on the following map based resources: <http://www.magic.gov.uk/MagicMap.asp> and <http://www.ancient-tree-hunt.org.uk/discoveries/interactivemap/>.
- 18 Local Wildlife Sites (Disused Railway, Kington to Leominster; Land near Hunton Bridge (border); Lyonshall Park Wood; Land at Bullocks Mill; Land at Mill Farm; Piers Grove and adjoining field; Land at Rodds Farm x 3 (border); Rodds, Penrhos, Oxpasture and Green Woods; Lyonshall Churchyard; Land at Lyonshall; Land at Moorcourt Farm (border), Pool

near Shawl Farm (border); Mowley and Grove Woods (border); Land at Lilwall Farm x 2 (border); Highmoor Wood (border).

- 2 Sites of Special Scientific Interest (SSSIs) (Flintsham & Titley Pools x 2 (border))

3.3.11 Maps 6 and 7 provide more information about natural heritage assets in the Parish which should be protected and enhanced.

### **Policy LE2 Protecting and Enhancing Local Wildlife**

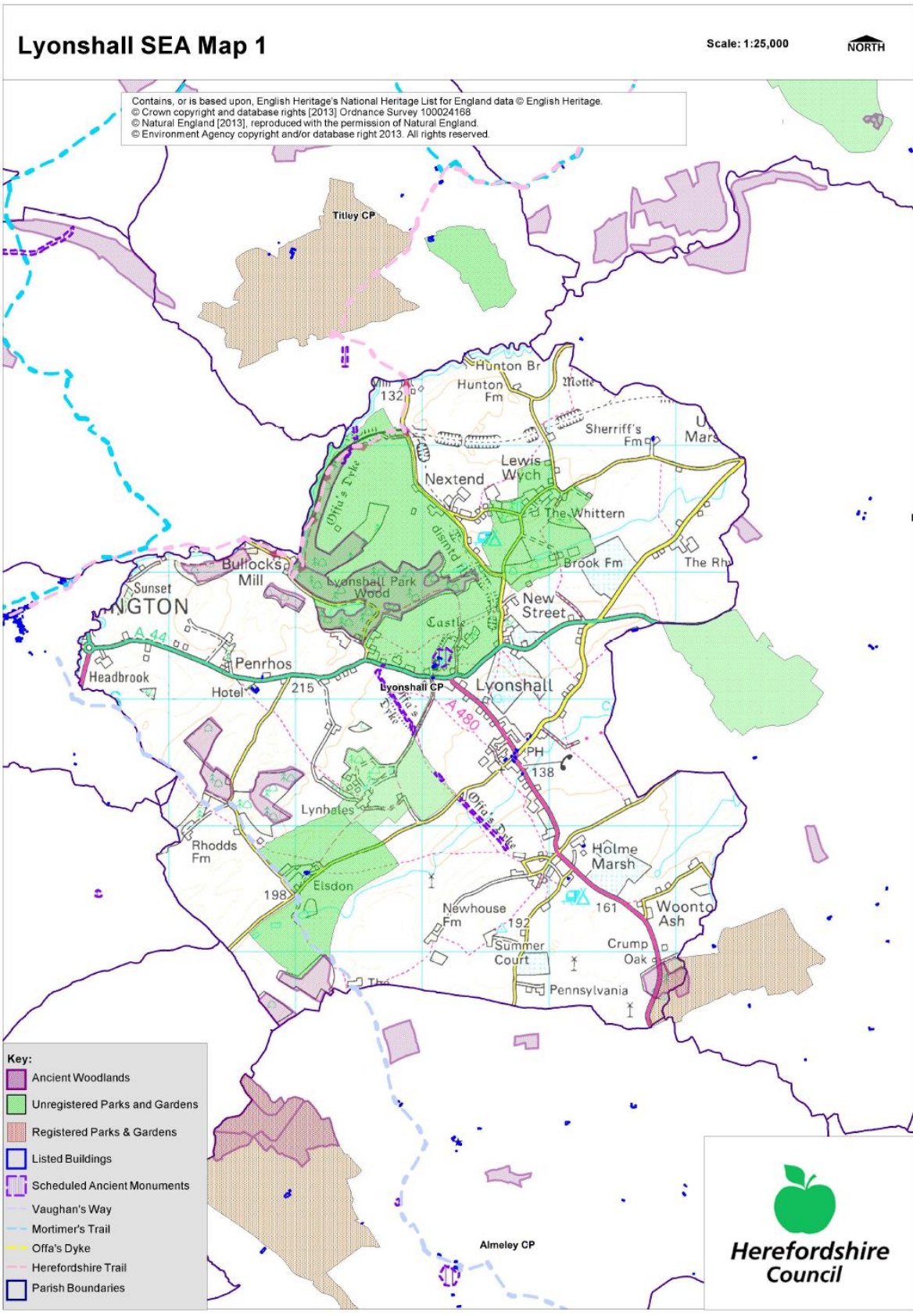
Development proposals that impact on local wildlife and habitats identified on Maps 6 and 7 will not be prevented, but they should demonstrate how biodiversity will be protected and enhanced.

New developments should retain and incorporate natural habitats such as trees and hedgerows as far as practicable. Where not practicable, changes should provide an enhanced habitat for wildlife, and ponds and watercourses if moved should provide an enhanced environment.

Substantial harm to or loss of irreplaceable habitats such as ancient woodland, should be wholly exceptional and only permitted where the development is to aid the maintenance and enhancement of the habitat. Where development proposals are located close to areas of ancient woodland or veteran trees, a buffer strip of 25m should be provided to protect the core of the woodland.

Where possible, schemes should incorporate measures which support and enhance local wildlife such as swift bricks, owl and bat boxes, and landscaping schemes should include the planting of locally appropriate species and wildlife meadows which support biodiversity.

Map 6 Lyonshall SEA Map 1



Map 7 Lyonshall SEA Map 2



## 3.4 Community

### Introduction

- 3.4.1 Lyonshall has several community facilities including the church, Memorial Hall and the children's playground, which are all in regular use by a variety of interest groups. However, Lyonshall people must travel to Kington for such amenities as shops, pubs, schools, after-school clubs and healthcare.
- 3.4.2 The sole remaining pub in the village, The Royal George, is currently closed but a scheme to develop and extend the range of facilities on the site is underway. This proposal is well documented elsewhere but, in brief, the development will provide many of the facilities envisaged in the 'Village Centre' concept outlined in the original NDP work, and without financial cost to the Parish, thanks to the current owner's vision and investment. This resource will benefit many different sections of the Parish, but will also draw people from further afield, encouraging tourism and creating local employment.

### Memorial Hall

- 3.4.3 The Memorial Hall was built in the 1930s to commemorate the lives of local people lost in The Great War. It was funded through local donations and given in trust to the Parish. The Hall has served the community well, generating many happy memories of events and social gatherings held there over eight decades.
- 3.4.4 The building is now tired, and no can longer realise its full potential as a modern, cheerful and easily maintained communal space, a venue that people will want to use for parish and church events, private parties, weddings and many other things.
- 3.4.5 Over the last few years there have been conversations about a new Memorial Hall closer to the centre of the village, as part of the new 'Village Centre' concept described in the earlier NDP work. But more recently this has started to be questioned as the preferred option, for the following reasons:
- There is no obvious place to build a new hall.
  - If a site were to be found, it would be in close proximity to many residential properties with the potential for an increase in both noise and traffic.
  - With the proper development of the pub site coming to fruition, the addition of another busy public amenity does not seem like a sensible option.

By contrast:

- The current location is only a short distance from the village centre.
  - The site has the potential to be enlarged and developed to provide a new modern facility, with increased usable outside space and adequate parking.
  - It is closer to the church making it easier to link the two, and providing an attractive space for church events, weddings etc.
  - The location minimises both noise and traffic for the majority of residents.
  - An attractive development of this nature would also have the potential to generate income from further afield, creating the opportunity to become self-sustaining.
- 3.4.6 The Issues and Options consultation demonstrated widespread support for the NDP to include a policy to support the development of a new village facility on the site of the Memorial Hall, with 76.3% of respondents voting Yes to this suggestion. New development

within the settlement boundaries may lead to greater demand for community facilities in the village and in turn provide investment from developer contributions to achieve them. A new facility should support a suitable range of activities to serve the needs of the whole community in Lyonshall, as well as hosting events for users from further afield. This would reinforce its financial viability and future sustainability.

- 3.4.7 Herefordshire Policy SC1 – Social and community facilities supports development proposals which protect, retain or enhance existing social and community infrastructure.

### Policy LC1 Memorial Hall

Development which contributes towards the provision of new recreational, community and educational facilities will be supported on Site D on the Lyonshall Village Policies Map.

The building should be capable of hosting parties of 100-200 people, with all supporting facilities and with at least one designated meeting room, thus ensuring a sustainable future.

Buildings should be designed sensitively to complement the built heritage of Lyonshall, and any redevelopment must carry forward and enhance the hall's role as a memorial. However, they need not imitate earlier architectural periods or styles, and imaginative modern designs will be encouraged.

The development proposals should include measures to protect local residential amenity and minimise disturbance from noise. Adequate car and cycle parking for users should be provided on site and where possible improved pedestrian access from the village.

### Open Space

- 3.4.8 The children's playground is a valued local resource and should be protected.
- 3.4.9 The Play Facilities Study 2012<sup>8</sup> notes that *"In terms of Lyonshall itself, the assessment found that the existing play area managed by the Parish Council offers good play value and access, and is currently well used."*
- 3.4.10 In the Issues and Options consultation 94.6% of respondents were supportive of the NDP including a policy to protect the play area. There were also comments and suggestions that the area around Fishpools may be appropriate for teenagers or should be protected as a wild flower meadow, and that allotments could be provided.

<sup>8</sup> [https://www.herefordshire.gov.uk/directory\\_record/2101/play\\_facilities\\_study\\_2012](https://www.herefordshire.gov.uk/directory_record/2101/play_facilities_study_2012)

### Policy LC2 Open Space

The Children's Play Area opposite the Royal George Public House as shown on the Lyonshall Village Policies Map as LC2 is protected from development.

Provision of new and enhanced public open space which gives improved facilities for the community such as allotments, will be supported and encouraged as part of developer contributions.

Such contributions towards open space provision may be included on site as part of new housing schemes or by means of a financial contribution towards an off-site facility in a suitable new location within the village of Lyonshall.

## 3.5 Transport and Accessibility

3.5.1 Transport and accessibility are key issues for Lyonshall Parish. Key concerns from the questionnaire survey included:

- Large vehicles coming through the village - HGVs and agricultural vehicles
- Lack of safe pavements
- Speeding - Lack of enforcement
- Sustaining an effective bus timetable.

3.5.2 The consultation on Issues and Options also demonstrated concerns about local traffic including speeding, HGVs, and the need for traffic calming and more pavements. There was no particular support for bicycle routes.

3.5.3 However the NDP is constrained in terms of what can be achieved through planning policies to reduce the levels of traffic through the village. Investment in new pavements would provide a safer environment for pedestrians and cyclists, and contributions from developers towards extending the pavement network in the village would be encouraged.

3.5.4 The settlement boundaries have been drawn with careful regard to local bus stops in order to support access to bus services and encourage higher levels of use.



**Policy LT1 Transport and Accessibility**

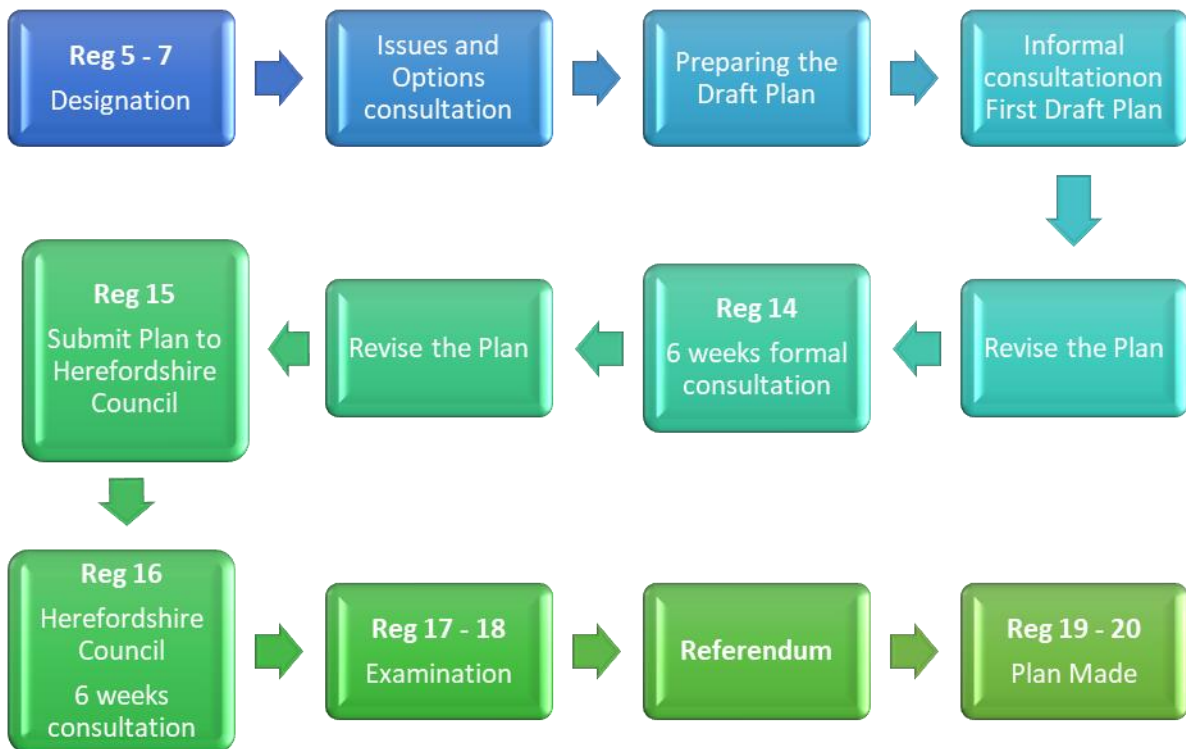
New residential and employment development should encourage walking and cycling for short journeys where this is practicable. This could include provision of safe and accessible routes linking to public footpaths, cycleways, and local facilities.

New development should be accessible to public transport services and facilities such as bus stops.

**4.0 Next Steps**

4.1 The preparation of NDPs is a complex and lengthy process. The key steps are set out in Fig 1 below.

Fig. 1 – The Key Stages of Preparing an NDP



4.2 A majority "Yes" vote (50% of turnout + 1) at the Referendum will mean that the NDP can be made by Herefordshire Council and used to help determine planning applications in the Parish.

## Appendix 1

### Lyonshall Character and Density

Lyonshall is a typical historic village, with a tiny core of old buildings, a few outlying ones, and major infill of new single dwellings and new estates.

The styles are an eclectic mix, from stone and timber frame with tiled roofs (10 of them listed) to modern brick and slate. The majority of houses are probably late 20<sup>th</sup> century. In visible style, as you walk through the village, they break down like this: -

Brick	60
Rendered	20
Stone	10
Timber frame	8

More than 60% are detached houses, usually with garages and gardens front and back, and the overall density is low. There are no large housing estates, either near the centre or at the periphery.

**It is this eclectic character and low density which the people of Lyonshall have voted to maintain. The following is an analysis of existing densities.**

These are the schemes which have been built, or are planned: -

#### 1. Village Centre Built Housing Schemes

Existing Housing Estate	Number of dwellings	Dwellings per Hectare
The Close	10	14
Stepstile	15	15
Burgage Close	15	10
Fishpools	8	23

Fishpools is the most recent, and comprises affordable houses only, hence the greater density.

#### 2. Village Centre Schemes Planned or Under Construction

Planned Housing Estate	Number of dwellings	Dwellings per Hectare
White Lion Meadow	5	8
Opposite The Close	11	13

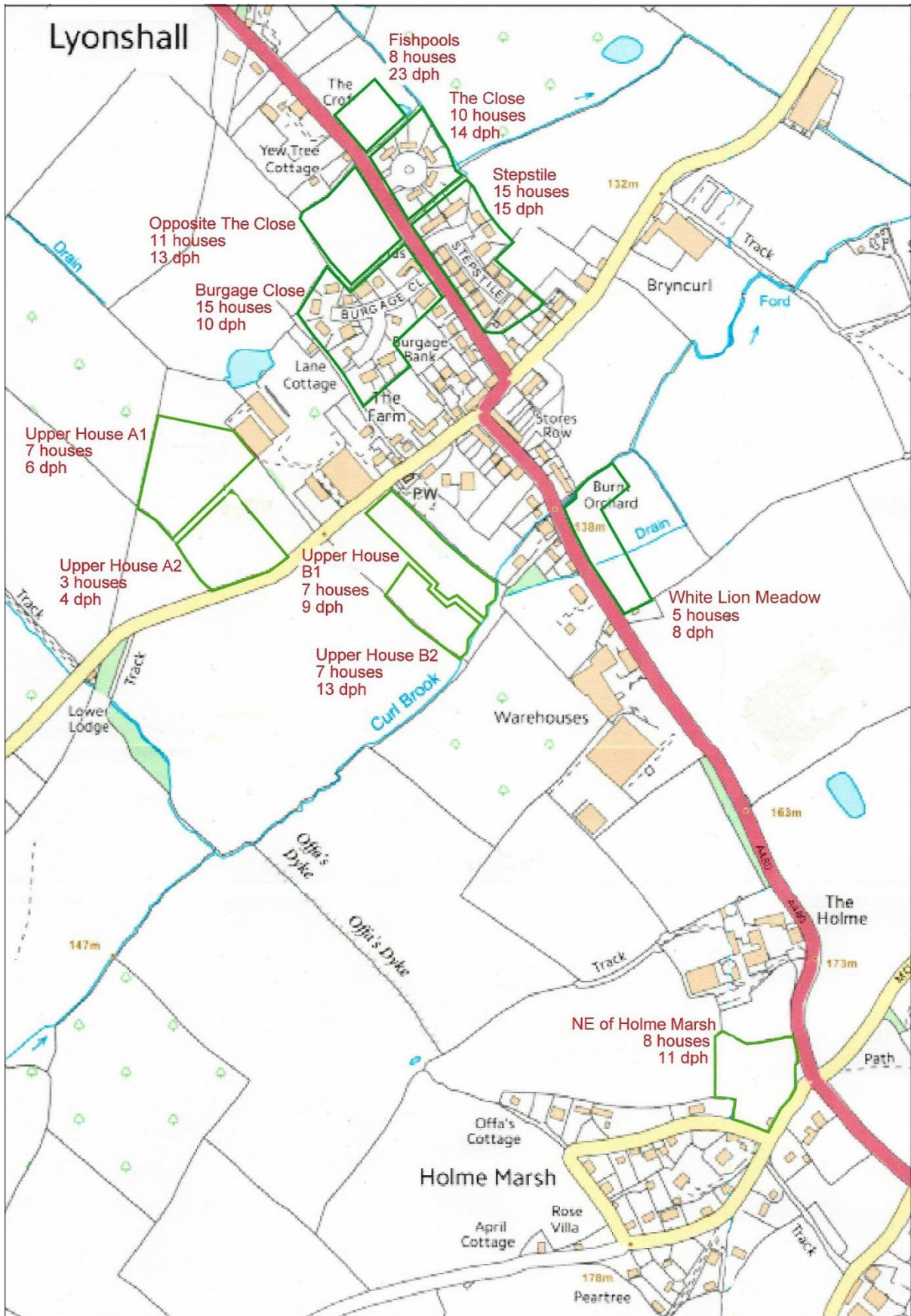
Construction is under way on the White Lion Meadow site, with one house completed and sold, and the remainder partially built.

**The average density across all the estates in tables 1 and 2 is 12.5 dwellings per hectare.**

#### 3. Planning Permissions Outside The Village Centre

Planned Housing Estate	Number of dwellings	Dwellings per Hectare
Land NE of Holme Marsh	8	11
Upper House (4 sites)	24	8

Map 8 Site Locations



### **Proposed Housing Density**

At the very centre of the village, as might be expected, some densities are greater. For example, Stores Row, a terrace of five small houses on the roadside, has a density of 24 dph. But all the estates described in tables 1 and 2 above are on the main street and close to The Royal George pub, so they too may be described as within the 'Village Centre', yet their densities are low, and the newest construction site – White Lion Meadow – has the lowest of all.

The development at Holme Marsh is separated from the village, and the Upper House developments are on 'back land', behind the built-up village centre and not on the main street, and so their densities could be expected to be lower.

It was decided that the NDP should not specify different housing densities according to location but give a single figure for all developments within the Village settlement boundary. This maximum density has been set at 12 dwellings per hectare, with the sole exception being developments of affordable housing [see para 3.1.11.] However, it was decided that development in the Holme Marsh settlement should meet a lower maximum density of 8 dwellings per hectare.

It is clear that housing built at these densities is viable but, much more importantly, this is what the people of Lyonshall want.

## Appendix 2

### Definition of Affordable Housing

NPPF July 2018

## Annex 2: Glossary

**Affordable housing:** housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

## Appendix 3

### Listed Buildings

There are 20 Listed Buildings, 5 Scheduled Monuments and part of a Historic Park/Garden in Lyonshall. These are:

Name	Location	Grade
Winton House and Lyonshall Village Store and Post Office	Lyonshall	II
Wildwood	Lyonshall	II
Eldson Farmhouse	Lyonshall	II
Upper Holme Farmhouse	Holme Marsh, Lyonshall	II
The Howe	Lyonshall	II
Forge Cottage	1, Forge Row, Lyonshall	II
Penrhos Court	Penrhos, Lyonshall	II*
The Old Weymouth Arms and The Wharf	Lyonshall	II
Lower Holme Farmhouse	Holme Marsh, Lyonshall	II
The Farmhouse	Lyonshall	II
The Old Maidenhead	Lyonshall	II
Ivy Cottage	3, Forge Row, Lyonshall	II
The White House	Lyonshall	II
Penrhos Farmhouse	Penrhos, Lyonshall	II
Ruins of Lyonshall Castle	Lyonshall	II
Church of St Michael and All Angels	Lyonshall	II*
Sheriff's Farmhouse	Lyonshall	II
Ivy House	Lyonshall	II
The Royal George	Lyonshall	II
Tan House	Lyonshall	II
Scheduled Monuments		
Lyonshall Castle		
Offa's Dyke – the section 580ms long west of Lyonshall		
Offa's Dyke – the section east of Garden Wood, extending 80ms		
Offa's Dyke – the section north west of Holme Marsh extending 560ms to the railway		
Offa's Dyke – the section extending 270ms crossing the railway west of Titley Junction		
Park and Garden (part)		
Broxwood Court, Pembridge – see map		

There are also 5 unregistered parks and gardens in the Parish:

- Lyonshall Park
- The Whittern
- Castle Weir
- Lynhales
- Eldson.

## Appendix 4

### Housing Survey as evidence decision

Review of the response from the Housing Survey as an evidence base.

Total responses of 126 of 500

Age groups of respondents:

18-25	26-35	36-45	46-55	56-65	65+
3	3	6	21	28	65

Overall, the group didn't feel the housing survey results were as useful as hoped for and failed to give a steer for the majority of the population because over half respondent lived in the centre of the village and are over 65, with over 2/3 of respondents wanting to stay in their own home.

On reflection, the survey was aimed to capture information from young to middle aged parishioners who may have intentions to expand families and live in Lyonshall. This would demonstrate a clear need by existing residents for additional housing.

### Affordable smaller housing

The results didn't really feed into supporting the evidence required for further development of smaller housing, yet there is a requirement for smaller affordable homes from numerous conversations heard in the parish.

There is a stock of 22 affordable homes in Lyonshall. On the Last three occasions of vacancies, rentals have been let to cascade of parishes. Consequently, it is questionable whether there is a need for additional social affordable housing in Lyonshall.

In light of this, the group cannot evidence the need for affordable homes at present.

Proposals showing a strong demand for subsidised affordable housing in the future will be met by exception sites if the need arises.

The expectation is that market force should determine size of future individual dwellings and the housing polices in the NDP plan reflect this.

# Lyonshall Parish

## Neighbourhood Development Plan

