
2. DEVELOPMENT STRATEGY

2.1 What is the Development Strategy?

- 2.1.1 This element of the Local Plan sets out the District Council's Development Strategy for Malvern Hills District to the year 2011. The strategy is based on the District Council's long term vision for land use, development and transport which reflects a variety of environmental, economic and social considerations and influences.
- 2.1.2 The purpose of the Development Strategy is to translate the key objectives of the Local Plan into clear and concise policies and proposals, which indicate broadly how and where new development will be accommodated and how future pressure for land use change and development will be addressed. In doing so, it provides a consistent context in which the Plan's policies and proposals can be understood and applied to proposals throughout the Plan period.
- 2.1.3 The Development Strategy addresses known and predicted development requirements. However, it does not attempt to specifically address every eventuality or form of development. Rather the Plan's objectives and core policies provide general guidance for development control decisions which aims to ensure that all development proposals can be tested and assessed against Local Plan and wider objectives, in particular those for sustainable development.
- 2.1.4 The Development Strategy also provides the means by which Local Plan objectives and policies are given a spatial dimension. That is to say policies and proposals, where appropriate, are related to specific parts of the District, more local areas and ultimately individual locations and sites. It is the job of the Development Strategy to bring together wider national and strategic policies with local priorities (such as those set out in the Community Plan). By relating them to known and recognisable areas or sites within Malvern Hills District, the Development Strategy provides a basis for guiding development which meets the established local needs of the District and which can be recognised by the local community.
- 2.1.5 The Development Strategy however, also recognises that Malvern Hills District is an outward looking District and therefore it also refers to the District's role within both Worcestershire and the West Midlands Region, by responding to policy initiatives such as the Central Technology Belt.
- 2.1.6 Although the objectives, policies and development proposals set out in the Development Strategy reflect the Council's broader aims and objectives for the District, in accordance with the purpose and function of Local Plans they are primarily land use related.
- 2.1.7 The Development Strategy is the heart of the Local Plan and aims to balance strategic development requirements with the need to protect the acknowledged quality of the natural and built environment of the District.

The Development Strategy

- 2.1.8 The policies and proposals contained within this section of the Local Plan aim to achieve the following Local Plan objectives and form part of 24 Local Plan objectives, listed in paragraph 1.4.4.

Development Strategy Objectives

1. *Seek the location of development in areas which will minimise the need to travel.*
2. *Encourage development which will help retain and enhance the identity, character and vitality of settlements.*
3. *Guide new development to sustainable locations, which reflect the role of Malvern as the main focus for future development and the needs of rural areas.*
4. *To promote the reuse of previously developed land and buildings for development particularly in urban areas.*
5. *To protect the open countryside from sporadic and inappropriate development.*
6. *Ensure the supply of suitable land and buildings to meet the District's strategic housing requirement of about 3,900 new dwellings to 2011 through the application of the 'plan, monitor, manage' approach.*
7. *Meet the housing requirements of the population of the District through the provision of a range of dwelling types, sizes, densities and tenures including general market, affordable and social housing in a way which protects the environment and makes the most effective use of the existing settlement pattern.*
8. *Ensure that sufficient employment land is identified and available to meet the District's strategic employment requirement of about 55 hectares to 2011.*
9. *Ensure there is a range of employment sites and premises available across the District to provide a balanced portfolio of employment opportunities and meet the varying requirements of new and existing businesses.*

- 2.1.9 This section of the Plan aims to set the context for the Local Plan Development Strategy by defining the principles and criteria with which all development proposals should comply.

2.2 A sustainable approach to development

- 2.2.1 The concept of sustainability underpins the Malvern Hills District Local Plan. However, the Local Plan can only deal with those land use aspects of sustainable development, which are capable of being addressed through the present planning system. Policy DS1 aims to achieve a sustainable approach towards development and will apply to all future development proposals.

Policy DS1: The Location of Development

Development will be directed to sustainable locations most appropriate to the form and scale of development proposed on the following basis:

- a) Malvern represents the principal urban area and main town centre within the District and will be the focus for new development during the Plan period, particularly development that generates and attracts high levels of journeys. Development will be located within the settlement boundary, as defined on the Proposals Map.
- b) Tenbury and Upton offer a wide range of services and facilities and include town centres serving the district's rural community and wider tourism needs. Proposals for development serving local needs across the wider rural area, such as new commercial, retail, leisure and large scale community facilities will be located within the settlement boundaries established for these towns, as defined on the Proposals Map.
- c) Development throughout the rural areas will be restricted to that required to meet local needs generated from within the rural areas themselves and as an aid to rural regeneration. Development proposals will be directed to the most appropriate rural settlement in accordance with the rural settlement hierarchy established by Policy DS11.
- d) Development within the open countryside (beyond settlements as defined on the Proposals Map) will be strictly controlled. Development will be limited to those exceptions established within the Local Plan, which can only be located within the open countryside and which maintains or enhances the landscape character and biodiversity of the area.
- e) The re-use of previously developed land in rural locations where development would be unsustainable or intrusive in the countryside will not be permitted.

Reasoned Justification

- 2.2.2 WCSP Policy SD.6 identifies Malvern as the main urban area beyond the Central Crescent in Malvern Hills District where development should be concentrated. The WCSP defines 'concentrated' as within or adjacent to the settlement. However, the Local Plan Review has established that strategic development requirements associated with Malvern can be accommodated on previously developed sites within the existing urban area. Consequently, there is no foreseeable need or justification for urban greenfield releases for development within the existing urban area or the proposal of an urban extension or extensions on greenfield land beyond the proposed settlement boundary.
- 2.2.3 Only very modest revisions to the previously adopted settlement boundary for Malvern have been proposed by this Plan. In the main these have sought to accommodate anomalies involving existing development or previously developed land closely related to the existing settlement boundary.
- 2.2.4 Tenbury and Upton are recognised by the WCSP (Policy D.26) as being urban areas containing Town Centres given the wide range of services and facilities they provide. Consequently, the Local Plan proposes that new commercial, retail, leisure and large scale community facilities should be directed to these towns, as rural service centres, rather than smaller and less sustainable rural settlements which could not be classified as including Town Centres. Both Towns are well placed to meet the needs of the wider surrounding countryside. Neither is likely to fully comply with the RPG definition for market towns. However, their potential contribution to rural renaissance within the District will be a major factor with respect to the accommodation of development of an appropriate scale and type in accordance with the settlement hierarchy established under Policy DS1 and DS12. However, with respect to establishing the level of housing and employment growth appropriate to Tenbury and Upton this will remain consistent with 'local needs' during the Plan period.
- 2.2.5 Tenbury Wells is particularly significant with respect to the implementation of regional policies associated with the Rural Regeneration Zone. Within the Zone the communities of Tenbury and Burford are mutually supportive and their close relationship serves to further endorse Tenbury's role as a rural service centre. Although it is important to retain the individual

identities of these settlements, which are separated by the River Teme, the communities are clearly linked geographically, socially and economically. Burford relies on Tenbury for most of its services and facilities, whilst Burford is an important employment area and has also seen considerable recent housing development. Whilst there is no basis for cross boundary development in the current development plan framework, the close relationship between the two settlements is likely to be a factor in the assessment of development and regeneration proposals.

- 2.2.6 Both towns are significantly constrained by the existence and effects of flooding and associated flood plain controls which limit opportunities for growth and development. Town centre and related uses will be directed to both Tenbury and Upton, on the assumption that redevelopment opportunities within the established settlement boundaries can meet a range of needs. However, the Plan does not propose that either should be a specific focus for local needs for housing or employment development within the rural areas. Consequently, with respect to housing and employment development they are classified as Category 1 settlements under Policy DS11 and no specific housing allocations have been made for either settlement as it is assumed that existing commitments and windfall developments will address local needs over the Plan period.
- 2.2.7 Policies DS11 – DS13 establish a hierarchy of rural settlements with the potential to act as local service centres or networks of service centres. They will act as the focus for local needs development associated with the rural areas over the Plan period and for supporting local communities and services.
- 2.2.8 Having considered and addressed the location of strategic development requirements within sustainable settlements across the District the Local Plan seeks to support rural regeneration where this is consistent with the need to protect the irreplaceable asset which is the District's rich diversity of open countryside and special landscapes.
- 2.2.9 Malvern Hills District is an important component of the West Midlands region and Worcestershire. This is demonstrated by a range of diverse influences such as the national and regional importance of the Malvern Hills AONB as a protected and valued landscape that attracts many visitors and Malvern's research and development capacity as an integral component of the Central Technology Belt. However, when implementing Policy DS1 in relation to major development proposals the District Council will assess such proposals against the strategic role and capacity of the settlements and locations referred to in Policy DS1. This will determine whether the proposed development is appropriate and can be accommodated within the District without undermining regional, sub-regional and importantly local policy objectives.
- 2.2.10 The Local Plan identifies settlement boundaries around towns and selected villages. The purpose of settlement boundaries is to set out the extent to which particular policies enabling new development apply, such as infilling or redevelopment. They are not "envelopes" encompassing all of the facilities and land uses, which may be perceived by the local community as being part of the settlement.
- 2.2.11 The defined boundaries are normally based on readily recognisable features such as roads, hedgerows, streams and property. However in order to conserve the character of the settlement large gardens, paddocks, orchards and other land on the edge of the settlement have sometimes been excluded. This occasionally means that boundaries that do not relate to physical features have been used in the interests of restraining development opportunities.
- 2.2.12 In some cases playing fields, school sites, farm complexes and employment sites on the fringes of the settlement have also been excluded. If such uses became surplus to requirements during the Plan period their inclusion within the settlement boundary could result in large built development extensions on the edge of the settlement which may be detrimental to the character of the settlement.

- 2.2.13 There are occasions where dwellings exist on the edge of defined settlements which have an agricultural occupancy condition associated with them or were granted planning permission as rural exception sites. These dwellings were allowed under exceptional circumstances and should be retained for these purposes until such time as it can be demonstrated that they are no longer required to meet that specific need. As such these dwellings have been excluded from the settlement boundary.

Policy DS2 - Sustainable Development

The District Council will require all development proposals to reflect the principles of sustainable development by:

- a) re-using land and buildings wherever possible in preference to greenfield land;**
- b) minimising the need to travel between home, work, and other activities and providing opportunities for journeys other than by car;**
- c) protecting and enhancing the quality of the natural and built environment; and**
- d) being well related to existing patterns of development.**

Reasoned Justification

- 2.2.14 Policy DS2 sets out the means by which sustainable development can be achieved within the District. A key aim of achieving this is to accommodate new development in ways, which make the most effective use of land, transport and other services.
- 2.2.15 In seeking to accommodate new development, the District Council's first priority will be to give preference to the development of land within urban areas and particularly to re-use buildings or redevelop previously developed sites. By accommodating the majority of new development within existing urban areas, another principal objective of the Local Plan can be achieved by guiding development to locations, which reduce the need to travel and offer a choice of transport modes. The District Council will also seek to ensure new development respects and enhances the environment in terms of its quality and distinctiveness.
- 2.2.16 Development which attracts large numbers of people, particularly retail, employment and leisure uses should be located in the town centres and district centres and in areas well served by public transport. As recognised in paragraph 1.2.40 public transport accessibility will be different in more remote rural areas, compared to larger settlements.
- 2.2.17 Priority must be given to the re-use of previously developed land in sustainable locations but the above approach does not mean that all previously developed sites are suitable for redevelopment. Some previously developed land in rural locations may be unsuitable for development due to its unsustainable location. In both urban and rural locations previously developed sites might also be unsuitable due to poor accessibility, the capacity of existing infrastructure to absorb further development, the impact on the landscape and wildlife or the need to establish open space.

2.3 General Development Requirements

- 2.3.1 Policy DS3 sets out criteria applicable to all development proposals. It covers a wide range of issues in order to provide a consistent and sustainable approach to the assessment of all development proposals.

Policy DS3 - General Development Requirements

Development will only be permitted where:

Environmental Impact and Implications

- a) the location and nature of the proposed development, including its relationship to, and impact on, its immediate setting, the locality and local communities is appropriate;
- b) the layout, scale, massing, density, materials and design of the proposal will respect the character and quality of the area and promote local distinctiveness;
- c) the development will have no significant adverse effect on the amenity of occupiers of residential property, or on neighbouring buildings and land uses;
- d) the amenity provided to occupiers of the development is satisfactory;
- e) proposals seek to safeguard and enhance features of landscape, ecological, geological, heritage, archaeological and amenity value;
- f) the development does not involve the loss of the best or the most versatile agricultural land (Grades 1,2 and 3A);

Design and External Appearance

- g) the development will not have an adverse effect on skylines and/or hill features, including prominent views of / from such features;
- h) the development will not adversely affect the landscape character of the area or the setting of existing buildings especially where these are of special architectural, environmental or historic value;

Infrastructural Adequacy and Accessibility

- i) both the local road network and strategic trunk road network will be capable of safely accommodating the type and scale of traffic likely to be generated without undue environmental consequences;
- j) development will not undermine objectives for sustainable transport and proposals can demonstrate that consideration has been given to reducing the need to travel and securing access to the development by public transport or by other alternatives to the car;
- k) appropriate utilities and community infrastructure are available or will be provided;
- l) access to, and movement within, the development is safe, secure, convenient and attractive to pedestrians, cyclists and people with disabilities;

Pollution and Public Safety

- m) proposals demonstrate how regard has been given to the need to minimise crime and promote community safety objectives;
- n) there will be no unacceptable levels of air, water, soil, noise, odour, light and other environmental pollution arising from the development; and
- o) proposed arrangements for energy, waste, recycling and water management are identified where appropriate.

Reasoned Justification

- 2.3.2 The purpose of the policy is to promote and secure appropriate standards for development and ensure that the possible effects of development are understood and adverse impacts minimised. All planning applications submitted to the District Council for approval will be expected to meet the criteria listed in Policy DS3. The sub-headings are indicative only and the policy should be read as a whole. The policy should be read in conjunction with other relevant Local Plan and Worcestershire County Structure Plan policies which prescribe aspects of the criteria in more detail.

- 2.3.3 The policy criteria stem from a range of sources but are under-pinned principally by Government planning advice in PPG's (Planning Policy Guidance Notes), Worcestershire County Structure Plan, longstanding development control principles and the objectives of the

Local Plan. They represent material considerations in the determination of planning applications for development. The extent to which each criterion may apply, and their importance, will depend on the location and nature of proposals.

- 2.3.4 All planning applications submitted to the District Council for approval will be expected to meet the criteria listed in Policy DS3 in addition to other relevant Local Plan policies. This ensures that the possible effects of development are understood and adverse impacts minimised.
- 2.3.5 Development should be designed to provide the highest quality of environment. The design of new development should also ensure that the environment provided in and around neighbouring buildings is not adversely affected.
- 2.3.6 Some forms of infrastructure, such as sewage treatment works, may have an adverse impact on its surroundings. It is desirable to separate such uses from developments which would be adversely affected by them. The Cordon Sanitaire for sewage works for Malvern is defined on the Proposals Map, land uses which are sensitive to nuisance from smells should not be located where they are likely to be adversely affected by sewage treatment works.
- 2.3.7 The District Council is anxious to ensure that new highways are constructed to an appropriate standard in terms of safety, vehicle and pedestrian movements and maintenance. All new roads serving five or more dwellings will be required to be constructed to adoptable standards in accordance with the County Council's Highway Design Guide and Specification.
- 2.3.8 Proposals which have potentially environmental effects of more than local significance or may have an impact on sensitive environments should be accompanied by an Environmental Impact Assessment.

2.4 New Housing Development

- 2.4.1 The location of Malvern Hills District and its high environmental quality has resulted in continued pressure for new housing development. The policies contained in this Local Plan dealing with the scale and location of housing development form a fundamental part of the District Council's strategy for the long-term development of the District. The Plan's policies aim to encourage sustainable patterns of development by concentrating the majority of housing development in the form of allocations within the Malvern urban area, maximising the use of previously developed land and buildings, and promoting sites accessible by public transport. It also seeks to provide for a mix in the size, type and location of housing.
- 2.4.2 A Housing Background Paper supports the Plan's policies and proposals along with the District Council's Urban Capacity Study.

Policy DS4 - Meeting the Strategic Housing Requirement

Provision will be made for about 3,900 dwellings within Malvern Hills District between April 1996 and March 2011 to meet the Worcestershire County Structure Plan housing requirement.

Reasoned Justification

- 2.4.3 The WCSP requires 28,100 dwellings to be provided within Worcestershire between 1996 and 2011 and proposes that 3,900 of these dwellings shall be provided within Malvern Hills District.
- 2.4.4 The District Council undertakes and publishes an annual survey of Housing Land Availability, which examines all sites with planning permission for residential development. Table One below outlines the existing housing land position for the District based on the results of the latest Housing Land Availability Study (2004).

Table 1 Malvern Hills District Housing Land Position Statement at April 2004

Worcestershire Structure Plan Requirement 1996-2011	About 3,900 dwellings
Completions 1996-2004	2,235*
Commitments at April 2004	
Sites under construction	210*
Sites outstanding (assumes a 2% non-implementation rate)	343*
Windfall Allowance 1/4/04 to 31/3/11 <i>Based upon WCSP EIP Panel approved methodology</i>	752 dwellings
Replacement Dwellings Allowance (2004-2011)	90 dwellings
TOTAL	3,630 dwellings
Total Residual Balance	270 dwellings

* At the time of the survey three of the sites allocated in the MHDLP were included in the 2004 HLA as commitments. The Brooklyn Ford Garage (Site H2) was under construction, the Former Laundry (Site H7) was partially completed and Mill Farm, Guarlford Road (Site H9) was the subject of an outline planning consent.

2.4.5 The District housing total is made up of a number of different supply components:

Completed Dwellings

2,235 dwellings were completed between March 1996 and April 2004, producing an average annual completion total of 279 dwellings per year. The majority of these (70%) were built previously developed sites.

Details of completed dwellings between 1996 and 2004 can be found in the Housing Land Availability Report 2004. Analysis of annual completions is provided on an individual site basis. Details of the latest housing land supply position, are available from the MHDC Housing Land Availability Study.

Committed Sites

Committed sites are those sites with planning permission, which are currently under construction or outstanding. The latest Housing Land Availability Study (April 2004) indicated a supply of 553 committed dwellings within the District at 1st April 2004. In estimating the potential contribution of committed sites a non-implementation rate of 2% has been applied to all committed sites not under construction, to allow for those sites, which may not be built and where the current planning permission is allowed to lapse. This approach is consistent the Panel's findings into the Worcestershire County Structure Plan and the approach adopted by the County Structure Plan in setting the overall housing requirement for Malvern Hills District.

Windfall Sites

A windfall site is one which has not been specifically identified in the Local Plan (either by virtue of its size or because its availability for development had not been previously anticipated) but which may come forward during the plan period. Such dwellings, within Malvern Hills District, typically include the conversion of non-residential buildings, the subdivision of existing dwellings and the development of infill plots within existing built up areas.

Windfall sites have a major role to play in the supply of housing to meet the needs of the District and in particular they are a significant component of the housing land supply addressing local need within the rural areas. Their contribution to the housing land supply is recognised in PPG3: Housing.

WCSP Policy D11 proposes that an allowance should be made for the expected contribution of windfall sites in meeting the Structure Plan housing requirement. An allowance has therefore been made for the future provision from windfall sites based on past trends. The

windfall allowance for Malvern Hills District of 132 dwellings per annum relates to small sites of less than 5 dwellings and is based on the agreed methodology and assessment of the likely windfall sites contribution within Malvern Hills District built into the adopted WCSP.

Replacement Dwellings

The WCSP adopted the assumption that over the remainder of the Plan period, 15 dwellings per annum will be provided through the replacement of existing dwellings within the District. To avoid double counting, replacement dwellings are not included in the housing completion totals although any increase in dwellings created by redevelopment of a site is taken into account. The WCSP allowance for replacement dwellings has been rolled forward for the purposes of the Table 1.

- 2.4.6 Further details of all the components of the District's housing supply will be contained within a Housing Background Paper, to accompany this Local Plan.

2.5 The Location of New Housing Development

- 2.5.1 As Table 1 outlines, a residual balance of 270 dwellings remains to be found to meet the strategic requirement for housing within the District up to the year 2011.
- 2.5.2 The Local Plan identifies a range of sites under Policy DS5, which are sufficient to meet housing requirements over the next five years and at least until the end of the Plan period. New releases may be considered in the latter stages of the Plan period if difficulties arise in the bringing forward of the Local Plan housing land supply. However, such releases will be only made through early review of this Local Plan.
- 2.5.3 In selecting sites for housing development, the District Council has had regard to WCSP policy and advice in PPG3 'Housing'. Policy SD.6 of the WCSP states that within Malvern Hills District, development should be concentrated at Malvern. Policy DS5 illustrates how the residual balance of the District-wide requirement is to be met through housing allocations within the Malvern urban area.

Policy DS5 – Housing Sites within the Malvern Urban Area

The strategic requirement for new housing (about 3,900 dwellings between 1996 and 2011) will be met through existing completions, existing commitments, windfall and replacement dwellings, and the allocation of the following previously developed sites within the Malvern settlement boundary as defined on the Proposals Map.

H1) North Site, (at least)	390	dwellings
H2) Former Brooklyn Ford Garage, Worcester Road	0	dwellings
H3) Former Railway Sidings, Peachfield Road	15	dwellings
H4) Lower Howsell Road	6	dwellings
H5) Former garage site, Worcester Road	10	dwellings
H6) Former garage site, Newtown Road	8	dwellings
H7) Former Laundry, Yates Hay Road	0	dwellings
H8) Site at Worcester/Zetland Road	15	dwellings
H9) Mill Farm, Guarlford Road	0	dwellings
H10) Hospital site, Lansdowne Crescent	15	dwellings
H11) Former Treasurers site, Victoria Road	20	dwellings
H12) QinetiQ S & T site, St Andrews Road	30	dwellings
H13) Barrack Store Site, Court Road	30	dwellings
Capacity of allocated sites within Malvern (at least)	539	dwellings

Reasoned Justification

- 2.5.4 Malvern is accessible by a choice of means of transport and offers a wide range of employment, retail, leisure, recreation, education and community facilities. The District Council has adopted a sequential approach to identifying sites to meet the strategic housing requirement. This approach has been applied in the context of the Local Plan strategy, which seeks to maximise development potential on previously developed land and buildings within the Malvern urban area. The sites allocated under Policy DS5 were identified through the District Council's developing Urban Capacity Study, Structure Plan and Local Plan process. All sites listed in Policy DS5 are previously developed or vacant/derelict sites within the urban area as defined by the revised settlement boundary for Malvern. The development capacities identified under Policy DS5 for allocated sites are indicative and are not specific proposals for a maximum or minimum number of dwellings (with the exception of Site H.1, which is expressed as at least 390 dwellings). The Council is confident that sites identified under Policy DS5 will come forward for development. However, given uncertainties surrounding the re-use of previously developed land and the need to provide a choice of sites and locations, two additional sites (H12 and H13) were included in the Plan at the second deposit stage.
- 2.5.5 The settlement boundary as shown on the Proposals Map defines the area within which development will take place. Land outside of the boundary is considered in policy terms to be open countryside.
- 2.5.6 Site H.1 North Site dominates the allocated housing supply under Policy DS5 and represents by far the largest proposed development within the Plan period. However, the allocations made under Policy DS5 are considered to provide a range of sites which will deliver a variety of housing opportunities in terms of size, type and location of site with the main urban area.
- 2.5.7 Through Policy DS6 - Phasing of Residential Allocations, the order of release of the allocated housing sites will be managed in order to secure a continued supply of housing provision over the remaining Plan period. The District Council will monitor the delivery of new housing in accordance with the assumptions underpinning the Local Plan. The release of housing land will be strictly controlled in the event of completions, commitments, windfalls / replacements and allocations suggesting that the WCSP requirement will be exceeded before the end of the Plan period by more than 100 dwellings. Should such a need arise the Council will consider the preparation and implementation of a Supplementary Planning Document aimed at managing residential land supply in relation to strategic requirements.
- 2.5.8. Development proposed under Policy DS5 will have regard to any development briefs, adopted Supplementary Planning Guidance, Supplementary Planning Documents prepared under the Local Development Framework or other guidance relevant to the form of development proposed or its location.

Policy DS6 - Phasing of Residential Allocations

The development of the allocated residential development site listed below will be restricted to the phasing periods specified unless monitoring of the rate of development and land availability reveals that modification of the proposed indicative phasing of residential development is justified.

1996 – 2006	
Completions 1996 to 2004	2,235 dwellings
Sites under construction (1.4.2004)	210 dwellings
Existing Commitments (1.4.04)	343 dwellings
Windfall Allowance (2004 – 2006)	251 dwellings
Replacement dwellings allowance (2004 – 2006)	30 dwellings
H.1 North Site (part)	100 dwellings
H.2 Former Brooklyn Ford	0 dwellings
H.4 Lower Howsell Road	6 dwellings
H.7 Yates Hay Road	0 dwellings
H.9 Mill Farm, Guarlford Road	0 dwellings
Proposed phasing 1996 - 2006	3,175 dwellings
2006 – 2011	
Windfall allowance 2006-2011	501 dwellings
Replacement dwellings allowance	60 dwellings
H.1 North Site (part)	290 dwellings
H.3 Peachfields (railway sidings)	15 dwellings
H.5 Worcester Road (at least)	10 dwellings
H.6 Former garage site, Newtown Road	8 dwellings
H.8 Worcester Road / Zetland Road	15 dwellings
H.10 Lansdowne Crescent (hospital site)	15 dwellings
H.11 Treasurers Site	20 dwellings
H.12 QinetiQ S&T Site, St Andrews Road	30 dwellings
H.13 Barrack Store Site, Court Road	30 dwellings
Proposed phasing 2006 – 2011	994 dwellings
Total provision 1996 – 2011	4,169 dwellings

Reasoned justification

- 2.5.9 Local Planning Authorities are required by Government guidance to Plan, Monitor and Manage the release of land for housing in order to ensure that this important resource is used prudently and in accordance with established needs. Consequently, the District Council will monitor closely the uptake of housing land in accordance with the indicative phasing arrangements proposed by Policy DS6, which broadly accords with the indicative phasing arrangements established by WCSP Policy D.2 which proposes 2900 dwellings (1996 – 2006) and 1000 dwellings (2006 – 2011).
- 2.5.10 The District Council has considered the characteristics of the allocated sites, progress towards securing planning approval for development, the need to provide essential infrastructure, meeting affordable housing needs and the likely timing of development in order to arrive at the proposed phasing established by Policy DS6.
- 2.5.11 The Development Strategy and Policy DS6 recognises that existing commitments and windfall dwellings throughout the Plan period will be the main sources of new residential development to meet local need within the rural areas. Therefore, it is important that this flow is maintained.

- 2.5.12 Consequently, the identification and release of additional capacity within the main urban area of Malvern during the plan period is unlikely to be acceptable if this were to result in the requirement to significantly restrict windfall development in the rural areas. Such restriction could be argued to be necessary in order to ensure that the WCSP housing requirement is not significantly exceeded during the Plan period. However, the District Council believes such an approach would have an unacceptable effect on the development within the rural areas. In the event of additional large sites or increased capacity on allocated sites coming forward within Malvern during the Plan period such increased capacity will be assessed against the WCSP housing requirement. If the increase in capacity is likely to result in the WCSP requirement (3900 dwellings) being exceeded by more than 100 dwellings within the Plan period, development will not be allowed.
- 2.5.13 The reasoned justification to Policy DS11 clearly indicates that in the event of windfall development expectations across the rural areas not being met, consideration will be given first to modest compensatory housing allocations in Category 1 Rural Settlements to meet rural local needs through early review of this Local Plan.
- 2.5.14 Site H1. North Site represents a major redevelopment opportunity and by far the largest site allocated for development in the Local Plan. A modest increase in the WCSP indicative phasing for 1996 – 2006 has been created by bringing forward part of the North Site but is considered appropriate in order to increase the range of choice of housing sites in Malvern and to encourage the early introduction of infrastructure and community facilities associated with the site.

2.6 North Site

- 2.6.1 The release and implementation of Site H.1. North Site is subject to the specific requirements of Policy DS7. Details of Sites H.2. – H.13, are provided in Appendix 1.

Policy DS7 North Site

- (1) Site H.1 North Site, Malvern as defined on the Proposals Map, is allocated for a mixed use development and will provide:**
- at least 390 dwellings (phased for release);
 - 3.5 hectares of B1 employment land as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended);
 - a new local centre which includes a new community centre, community and local shopping facilities (any retail unit established will not exceed a retail floor area of 250 sqm);
 - a site for a one form entry Primary School (1 hectare) and associated public playing field;
 - the provision of up to 195 affordable housing units distributed throughout the site (based upon negotiation of up to 50% on a development of 390 dwellings);
 - appropriate formal and informal open space within the allocated site in accordance with Policy CN12.
- (2) Residential development of the site within the Plan period will be expected to demonstrate the most efficient use of allocated land, in line with the required net density range of 30 – 50 dwellings per hectare.**
- (3) A North Site Development Brief has been prepared to guide the implementation of the site and development proposals will accord with the detailed requirements of the Brief and should:**

- i) allow for a mix of dwelling types, sizes and tenures having regard to local housing need;
 - ii) ensure that new residential areas comply with Home Zone design criteria;
 - iii) ensure that any Office development (Use Class B1a) will be subject to the provisions of Policy EP3 - Office Development, regarding the location and sustainability of office development;
 - iv) provide at least two vehicular access points to serve the site to maximise the segregation of employment related traffic from residential areas;
 - v) ensure that no more than 150 dwellings will be constructed off a single vehicular access to the site. Development involving both residential and employment development will require the provision of two main access points which are linked within the site;
 - vi) provide for appropriate pedestrian, cycle and public transport facilities;
 - vii) respect the high quality landscape setting of the site and integrate the development with the surrounding area;
 - viii) protect and enhance the site boundaries with the open countryside and along the course of Whippets Brook;
 - ix) provide a high quality environment, which reflects local distinctiveness and is of the highest design quality;
 - x) protect and enhance the ecological value of Whippets Brook as a wildlife corridor and an important habitat for species of wildlife importance.
- (4) Development of Site H1 North Site for more than 390 dwellings will be restricted if development would result in the Structure Plan requirement for housing being exceeded by more than 100 dwellings within the Plan period. Any capacity for additional dwellings beyond this level will only be released to meet housing requirements associated with the period post 2011.**

Reasoned Justification

- 2.6.2 The North Site in Malvern is a 20.9 hectare site located approximately 2.5 km from Great Malvern town centre. Defence Estates currently own the majority of the site and they have announced that the site is now surplus to their requirements and have established a disposal programme for the site.
- 2.6.3 The site was developed during the Second World War for the Air Defence Research and Development Establishment and has subsequently been occupied by a variety of radar, telecommunications and electronic groups.
- 2.6.4 The Malvern Hills and adjacent open countryside provide an attractive and high quality setting for the site, which is clearly visible from the Malvern Hills Area of Outstanding Natural Beauty (AONB). The site is defined by existing residential development to the north, south and east and by open countryside to the west. Single storey concrete buildings currently cover a significant proportion of the site. A larger warehouse style building is located to the west of the site with four low-density buildings occupying the northern part of the site. The majority of buildings are of such poor quality or of a specialised design that their re-use or conversion is considered impractical. Large areas of under utilised land between the buildings are laid to grass. The site also includes a disused playing field located adjacent to Richards Close which has an expired planning permission for military family housing. An area of recent tree planting referred to as the REME copse lies centrally within the site.
- 2.6.5 The District Council considers the site is suitable for a mix of uses to include housing, employment, community facilities and open space. The majority of the site will be developed for housing in a mixture of tenures, dwelling types and densities. Approximately 3.5 hectares of the site has been allocated for employment uses falling within Use Class B1 (offices, research and development, high technology and light industry). As the largest single redevelopment opportunity within the Local Plan, the site is considered to be highly suited to a mixed use allocation in accordance with paragraph 50 of PPG 3: Housing.
- 2.6.6 The allocation of approximately 3.5 hectares of the site for employment uses will provide an opportunity for increased working close to home. Importantly it will also provide land needed

for the internal restructuring of Malvern's employment base and provide a degree of choice with respect to opportunities for employment development and use within the Plan period.

- 2.6.7 The development of at least 390 dwellings on Site H.1 North Site within the Plan period is required to meet the WCSP requirement for housing. Proposals that achieve more than 390 dwellings will be favourably considered where they make the most efficient use of development land. However, additional development which is beyond the capacity of local infrastructure to accommodate the development or would result in the WCSP housing requirement being exceeded by more than 100 dwellings within the Plan period will be resisted.
- 2.6.8 The requirement for up to 195 affordable dwellings on Site H.1 North Site reflects the requirements of Policy CN2 that up to 50% of all sites of 15 or more dwellings in Malvern should be affordable. However, 195 dwellings should not be interpreted as a fixed requirement and in the event of the site being developed for more than 390 dwellings the affordable housing maximum requirement will be adjusted accordingly in line with Policy CN2. The actual level of affordable housing provision will be delivered through negotiation in the light of established housing needs. Any Affordable Housing Scheme for Site H.1 North Site will need to ensure the delivery of affordable housing throughout the development period for the North Site and its integration with the development as a whole.
- 2.6.9 There are two existing vehicular access points to the site. The main access is located to the south from Sayers Avenue with a second access located to the east on Leigh Sinton Road. A public footpath borders the part of the site running along its western and part of its northern boundary.
- 2.6.10 The development site will need to be served by new road infrastructure within the site. Consideration will be given to a new road passing through the site however, any proposed road layout for the site should seek to minimise conflict between employment traffic and both existing and proposed residential areas. It should also pay close attention to the traffic safety and management issues arising from the Dyson Perrins High School and the proposed Primary School.
- 2.6.11 The existing site access at the southern end of Leigh Sinton Road should be re-aligned giving priority to traffic entering and leaving North Site. The development will require off-site highway improvements and traffic management measures including pedestrian and cycle routes and possibly new traffic signals. Regard will be given to current Highway Authority design standards with respect to road layout and design however, residential and community areas will be required to meet Home Zone standards and achieve high levels of segregation between local and extraneous traffic movements and parking.
- 2.6.12 Development proposals will need to be accompanied by a Transport Assessment and an Area Traffic Management Plan.
- 2.6.13 The Traffic Management Plan will address the road, cycle and pedestrian network within the area, which includes Leigh Sinton, Cowleigh Road and Worcester Road. The assessment of the public transport network will address a wider area and include access to retail and service facilities in addition to likely workplace destinations and transport interchanges.
- 2.6.14 The above documents will consider the proposed development as a whole. They will be required to demonstrate how existing or improved transport infrastructure can accommodate the traffic movements generated by the proposed development and identify any specific highway or traffic management measures, public transport improvements and facilities for cycling and walking required for the satisfactory implementation of the proposed development. The developer will be expected to provide each new household with comprehensive travel information including walking and cycling maps showing safe routes to key facilities, public transport routes, times and prices, in consultation with Worcestershire County Council.

- 2.6.15 A high standard of urban design will be expected to satisfactorily integrate the new development into the surrounding area and to carefully address its impact on the wider landscape, particularly the AONB. The existing boundary trees and hedgerows shall be protected and enhanced with new landscaping to soften the appearance of the new development and provide a positive relationship between the edge of new development and the surrounding countryside. The site contains a variety of mature trees and vegetation, much of which will be retained and incorporated into the overall landscaping scheme for the whole of the site.
- 2.6.16 Community uses will need to form an integral part of the development and include a community centre and small-scale local shopping facilities. Their location should also be easily accessible to existing residents from the area surrounding the site. Health facilities and services are likely to be an acceptable use within the local centre or possibly elsewhere within the allocated site. However, the scale of any health facilities and services should not prejudice the delivery of the range of uses proposed within the local centre or the delivery of at least 390 dwellings and 3.5 hectares of employment land on the site.
- 2.6.17 The Environment Agency has stated that there are a number of drainage and pollution issues, which need to be addressed as part of the development of the site. These include the collapsed retaining walls alongside Whippets Brook, the need for a flood risk assessment, floodplain compensation measures and the maintenance of access to the watercourse. In addition they have recommended that a study be undertaken into potential pollution and contamination problems arising from the previous use of the site. Works effecting the Whippets Brook should take into account the presence of protected White Clawed Crayfish and should be informed by further survey for this rare species. It is recognised that the Whippets Brook is of at least county importance for its crayfish population and works must not have an adverse effect on this resource in accordance with Policy QL18. Indeed they should be designed to provide positive benefit for the species wherever possible.
- 2.6.18 Assessment of Public Open Space provision within the locality of North Site suggests an overall shortfall within the West Malvern and Upper Howsell Road neighbourhood areas. It is therefore important that the development provides adequate open space within the site to meet the needs generated by the development as whole.
- 2.6.19 Similarly an assessment of education capacity within the catchment areas serving North Site, undertaken by the local education authority, suggests that inadequate primary school capacity is available to meet needs generated by the development of the site. The redevelopment of North Site could increase the pupil population by at least half a form of entry (15 pupils for all year groups). At this time all the local primary schools are full and the two secondary schools have few places. In addition existing schools within the relevant catchment areas can not be readily extended or improved to cater for such needs. Due to practical and operational difficulties associated with the expansion of the existing primary schools, it is essential that North Site makes provision for sufficient land to enable the construction of a one form entry Primary School. The level of education provision to be supported by the proposed development will be identified through application of the approved countywide Education Facilities Supplementary Planning Guidance (April 2003).
- 2.6.20 A comprehensive Development Brief has been prepared by the District Council to provide a detailed guide to the proposed development and provided a basis for further local public consultation about the release of the site and matters which it would be inappropriate to include within the Local Plan. The Adopted Brief (August 2004), was subject to public consultation and will be afforded appropriate weight in future decisions about the development of the North Site as Supplementary Planning Guidance.
- 2.6.21 Development at North Site will not be permitted until the necessary legal agreements have been agreed and signed. Legal agreements are likely to be required to secure the provision of appropriate infrastructure, highway arrangements, pedestrian and cycle routes, open space provision and maintenance, landscaping, affordable housing provision, educational and

community facilities and the routing of demolition/construction traffic in accordance with other Local Plan policies and Supplementary Planning Guidance.

2.7 New Employment Development

Policy DS8 The Strategic Employment Land Requirement

Sufficient land will be provided in the District to meet the Worcestershire County Structure Plan requirement of about 55 hectares for employment uses within Use Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reasoned Justification

- 2.7.1 The WCSP development strategy aims to link the provision of land for new housing and employment development with the aim of achieving balanced communities. Policy D19 of the WCSP sets out the employment land provision for each District in Worcestershire for the plan period 1996 – 2011. For Malvern Hills District, the WCSP proposes “about 55 hectares” of land for employment use within Classes B1, B2 and B8 of the Town and Country Planning (Use Class) Order.
- 2.7.2 For the purposes of employment land provision, employment includes development within the Use Class B1 (Business), B2 (General Industry) and B8 (Storage and Distribution). Employment does not refer to every activity, which may create work and the definition excludes retailing, leisure, recreation and community uses.

Employment Land Supply

Table 2 - Employment Land Provision in Malvern Hills District 1996-2004

Table 2 below sets out the position regarding employment land provision in Malvern Hills District at 1st April 2004.

WCSP Employment Land Requirement 1996-2011	About 55 hectares
Employment Land Completions	
1996-1997	1.39 hectares
1997-1998	6.71 hectares
1998-1999	1.58 hectares
1999-2001	6.45 hectares
2001-2002	2.88 hectares
2002-2003	2.28 hectares
2003-2004	3.87 hectares
Sub Total	25.16 hectares
Employment Land Commitments	
Sites under construction at 1 st April 2004	2.77 hectares
Sites outstanding at 1 st April 2004	15.05 hectares
Sub Total	17.82 hectares
Total	42.98 hectares
Residual Balance at 1 st April 2004	About 12.02 hectares

The District Council monitors employment land via an annual survey of Employment Land Availability, which examines the amount of land developed and committed for employment uses within the current plan period. Details of employment sites referred to in Table 2 are found in the District Council’s Employment Land Availability Report April 2004.

Review of Existing Employment Sites

- 2.7.3 PPG3 Housing and WCSP Policy D23 advises that existing employment site allocations are reviewed and consideration given to reallocating sites for other uses. Furthermore, existing allocations that are considered to have little prospect of development in the Plan period should not be carried forward into new Development Plans. However, the District Council is mindful that there is a need to balance PPG 3 advice with other objectives. The review has therefore sought to maximise the development of previously developed sites before the release of greenfield sites. In addition it has been undertaken in the knowledge of the important contribution that existing employment sites make to the overall supply of employment land within the District, in terms of providing choice for employers with regard to the size, location and type of site and premises.
- 2.7.4 The former Malvern Hills District Local Plan (1998) allocated one site for new employment development on land north of Spring Lane, Malvern (now known as Haysfield Industrial Park). Another site, Townsend Farm, Malvern (now known as Enigma Business Park) was identified as an 'existing commitment' because outline planning permission had already been granted for the site prior to the adoption of the Local Plan. The Leominster District Local Plan (Tenbury Area) did not allocate any sites for employment development.
- 2.7.5 In accordance with WCSP Policy D23, the District Council has considered these earlier employment land allocations but considers these sites to be capable of continuing to offer realistic employment development opportunities and their reallocation to alternative uses would not be appropriate. Other employment areas zoned for employment uses within the District are continuing to offer a range of choice for employers seeking new premises or possibly re-development opportunities (such as those typified by the proposed redevelopment of the Blackmore Employment Park). The Local Plan Review does not consider there to be a case for the wholesale re-designation of existing employment areas to alternative uses, in particular housing.

Rural Windfall Employment Sites

- 2.7.6 As with housing windfall sites, windfall employment sites are those sites which have not been specifically identified or allocated in the Plan for employment development but come forward for development through the normal development control process. Within Malvern Hills District, all employment sites, which are not allocated by the Local Plan are categorised, once committed and completed, as windfall employment sites.
- 2.7.7 Although the WCSP makes an allowance for the expected contribution of windfall sites in meeting the strategic housing requirement, no similar allowance is made for employment sites. An examination of past completion rates on rural windfall employment sites in Malvern Hills District (sites located outside of the Malvern urban area) found that an average 0.99 hectares of employment land was developed per annum on rural windfall sites between 1996 and 2004.
- 2.7.8 The District Council considers that an allowance should be made for rural windfall employment sites which, it is predicted, will continue to come forward in the remaining Plan period. This allowance is based on past completion rates.
- 2.7.9 It is proposed that an allowance is made for 6 hectares of employment land (2004 – 2011) for rural windfall sites which will count towards meeting the WCSP employment land requirement.
- 2.7.10 The Local Plan strategy seeks to support rural renaissance, particularly within the Rural Regeneration Zone through diversification. However, such development is likely to be opportunity driven and further rural employment allocations are therefore considered inappropriate. On this basis the Council contends that current rural windfall developments are likely to continue to come forward in line with previous years. However, the District Council

will continue to monitor rural windfall sites and may consider the release of additional employment site allocations if such sites are not forthcoming in line with this allowance.

Meeting the Strategic Employment Land Requirement

Policy DS9 - Meeting the Strategic Employment Land Requirement

The strategic requirement for about 55 hectares of Employment Land within Use Class B within Malvern Hills District between 1996 and 2011 will be met as follows:

Employment Completions (1996-2004)	25.16 hectares
Employment Commitments (2004)	17.82 hectares
Rural Employment Windfall Allowance	6.00 hectares
Employment allocations for the following sites identified on the Proposals Map	
Site E.1: Blackmore Park Industrial Estate, Malvern (Class B)	3.8 hectares
Site E.2: North Site, Malvern (Class B.1)	3.5 hectares
Site E.3: Malvern Hills Science Park (Class B.1 (b))	1.1 hectares
Site E.4: QinetiQ South (Class B1 (b))	4.5 hectares
Total Employment Land Supply 1996 – 2011	61.88 hectares

Reasoned Justification

- 2.7.11 Policy D.20 of the WCSP states that employment land to be provided within each District to meet the strategic employment land requirement should comprise a portfolio of sites in terms of size, location and quality including the redevelopment or re-use where appropriate of previously developed land. Provision should be made for a range of sites to meet differing requirements of new and existing businesses.
- 2.7.12 WCSP Policy D.22 sets out the framework for additional employment land releases in the event that a balanced portfolio of sites cannot be achieved. This situation may arise because existing commitments are not in the correct location to balance new housing growth or that it is essential to ensure a continuing supply of available land to view of take-up rates. The sites proposed in Policy DS.9 (Meeting the Strategic Employment Land Requirement) are considered by the District Council to provide a balanced portfolio of employment land capable of development within the Plan period and also a degree of choice across both Malvern and the District as a whole.
- 2.7.13 The majority of land proposed for employment development has been directed towards Malvern in accordance with the objectives of the development strategy and WCSP guidance. However, the policy framework established by the Local Plan recognises the need for some limited employment development throughout the rural areas to meet local needs.
- 2.7.14 The employment land supply established under Policy DS9 provides for a modest overshoot of the strategic requirement of about 55 hectares (1996-2011). However, this is considered to be appropriate because the proposed allocations involve the re-use of solely previously developed sites within existing employment areas and are located within or close to the main urban area of Malvern.
- 2.7.15 Site E.1 Blackmore Park is an existing employment site close to Malvern but outside the settlement boundary. The site is considered appropriate in principle for redevelopment. However, its location beyond the settlement boundary means that proposals for B1(a) office use will need to be carefully considered against Policy EP3 – Office Development.

2.7.16 The site area for each of the allocated sites is based upon an estimation of the likely net gain to be achieved through their redevelopment.

Policy DS10 – Development Associated with the Central Technology Belt

- (1) The allocation of sites to meet the Structure Plan land requirement up to 2011 (and the longer term Regional Spatial Strategy (RSS) provisions which run to 2021) has been made on the basis that the continued redevelopment of site E3 (Malvern Hills Science Park) and site E4 (QinetiQ South) will contribute to the provision of a balanced portfolio of employment sites. They are also essential to meeting RSS objectives associated with the Central Technology Belt (CTB). Accordingly, redevelopment of these two sites will be restricted primarily to Use Class B1(b) although related and ancillary Use Class B1(a) floorspace may be authorised subject to restrictive occupancy conditions or other undertakings. This will ensure the provision of additional incubator and research facilities within acceptably close proximity to the established research and development facilities on both sites.**
- (2) Where the efficient use of land for redevelopment requires or secures a net increase in site area greater than that identified in Policy DS9 with respect to those associated with the CTB, any such additional capacity shall also be reserved for primarily Class B1(b) uses in order to meet the future needs directly associated with the technology corridor or to provide increased opportunities for related or ancillary development.**
- (3) The combined sites E3 and E4 provide a medium to longer term contribution to the implementation of the Central Technology Belt objectives and no additional allocations are proposed in this Local Plan period in order to meet needs associated with this element of regional spatial policy.**
- (4) The physical constraints imposed on both sites E3 and E4, by virtue of their location within the urban area of Malvern, requires that their development be satisfactorily accommodated by and be sympathetic to the local environment and be within the capacity of the town's infrastructure. Proposals for the redevelopment of the sites shall carefully take into account, through a comprehensive assessment, their combined impact upon the wider road and other communications networks. Future development on sites E3 and E4 will not be approved until it can be satisfactorily shown that all essential off-site highway works and any other improvements, including traffic restraint and mitigation measures, can be provided and adequately funded in advance of the occupation of any such new development.**

Reasoned Justification

- 2.7.17 High Technology Corridors have been identified within the West Midlands Region as a focus for encouraging the diversification of the region's industry, particularly vulnerable employment sectors such as the motor industry. There are three broad corridors within the West Midlands region and one of these, the Central Technology Belt extends from central Birmingham to Malvern.
- 2.7.18 Malvern's significance within the Central Technology Belt is based around the existence of QinetiQ, which is of international significance as a research and development centre and subsequently through the development of the Malvern Hills Science Park and other spin off development.
- 2.7.19 Emerging Regional Guidance for the West Midlands seeks to encourage the development of cluster opportunities for further research and high technology businesses in close proximity to existing research centres.
- 2.7.20 The allocation of both the Malvern Hills Science Park and QinetiQ sites under Policies DS9 and DS10 recognises that the redevelopment and rationalisation of facilities on these sites offers the potential for freeing additional employment land which can meet both Structure Plan and emerging regional needs in very close proximity to QinetiQ.

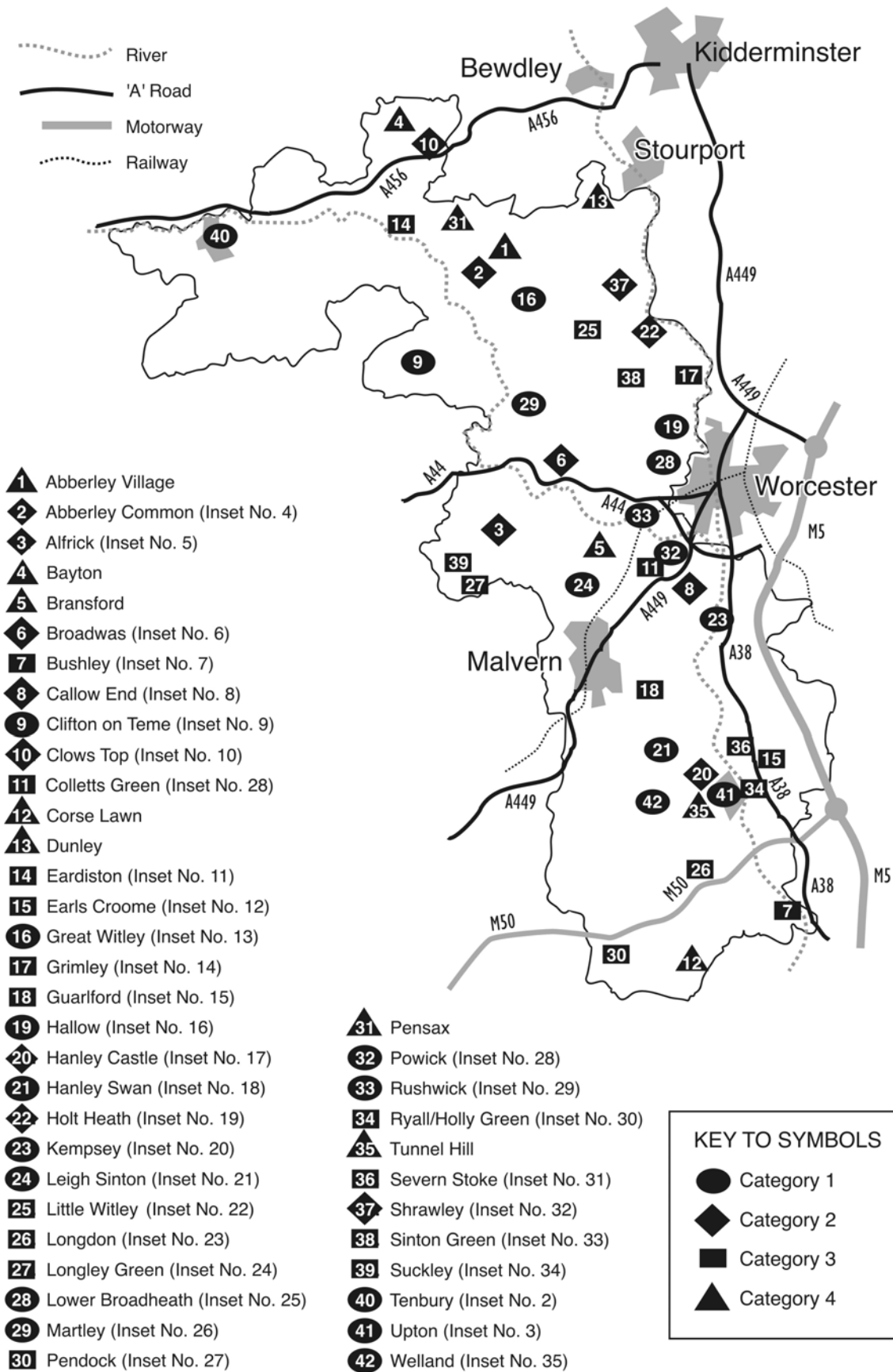
- 2.7.21 Through the imposition of appropriate conditions or the use of legal agreements, consideration will be given to uses within Class B.1 (a) and Class B.1 (c), providing these remain ancillary to the allocation of the site for high technology uses in accordance with regional planning policy. Proposals for large scale unrelated office development will be considered against Policy EP3 - Office Development.
- 2.7.22 Sites E.3 and E.4 together provide at least 5.6 hectares of potential net gain with respect to employment development within the Plan period, which can be directed to businesses consistent with regional cluster objectives. Plans for the redevelopment of both sites suggest that they will contribute to employment land provision throughout the remainder of the Plan period. There are currently no estimates of likely need for additional land to accommodate High Technology Cluster development at Malvern. Consequently, no further allocations for such specific employment uses have been proposed.
- 2.7.23 In order to support the further implementation of the Central Technology Belt objectives, the District Council will monitor closely the take up of such specialist employment development within Malvern on available sites and work closely with relevant agencies and organisations to identify possible longer-term needs. If appropriate the District Council will conduct an early review of the Local Plan, in the form of an Action Plan, to assess how to meet longer-term requirements associated with Malvern's role as an urban area providing Key Research Facilities within the technology corridor. An Action Plan would form an element of the Local Development Framework for Malvern Hills District under the provisions of legislation which reforms the Development Plan system.
- 2.7.24 The rationalisation of Site E.4 (QinetiQ South) may generate greater net development capacity than the indicative 4.5 hectares proposed under Policy DS9. It is possible for such additional development capacity to be realised during the Plan period, providing the development proposed is compatible with Policy DS10 and WCSP Policy D.22 (see paragraph 2.7.12 of this Plan) and it can be satisfactorily accommodated within local environmental and infrastructure constraints. If proposals come forward for additional development unrelated to the High Technology employment uses set out in Policy DS10, these will be assessed, inter alia, against regional and sub-regional objectives and policies associated with the Central Technology Belt and strategic housing and employment requirements in force at the time. Policy DS10 establishes a policy presumption in favour of any additional development capacity being retained, within the Plan period, for High Technology or related employment uses. However, the potential contribution of additional development capacity to meet longer-term development requirements, will be considered and, if appropriate, brought forward on a phased basis through early review of the Local Plan.
- 2.7.25 The Central Technology Belt is being promoted for investment purposes by partner organisations responsible for its delivery.
- 2.7.26 Both Site E.3 and E.4 are located within the existing urban area where there is potential for conflict between employment related development and residential areas, the district centre of Barnards Green, the Chase High School and environmental qualities of the nearby common. Recent redevelopment on both sites has been accommodated, with improvements within the carrying capacity of the local highway infrastructure. However, in order to release capacity associated with these sites it will be necessary to comprehensively consider their impact on the local highway network and local communities. It will also be necessary to consider the provision of joint infrastructure to service both sites and secure the implementation of all necessary localised improvements to facilitate the further development of Sites E3 and E4.
- 2.7.27 In the comprehensive redevelopment of Site E.4: QinetiQ the provision for direct access to Site E.3 - Malvern Hills Science Park through site E.4, should be addressed through a Transport Assessment. If direct access is not proposed the benefits of an alternative solution must be demonstrated.

2.8 The Rural Area

Rural Settlement Hierarchy

- 2.8.1 PPG3 Housing states that in terms of overall housing provision, only a limited amount of new housing development should be accommodated in rural settlements where it can be demonstrated that additional housing will support local services and is needed to meet local needs. The WCSP reflects this advice in Policy SD.8 (Development in Rural Settlements) which advocates new development in sustainable rural settlements to support local housing, employment or other local needs and to support local services.
- 2.8.2 The WCSP has assumed that local needs for housing can be met through existing planning permissions and future windfall consents. On the basis of current windfall assumptions and commitments the District Council does not consider it necessary to propose the allocation of additional residential sites within the District's rural settlements to meet local needs.
- 2.8.3 The Village Facilities Survey and the Rural Public Transport Survey undertaken by the District Council as part of the Local Plan Review have informed decisions on the identification of sustainable rural settlements. The surveys applied a set of criteria to assess the sustainability of each settlement and their potential role as a local service centre. The criteria examined the presence of local services and facilities and the availability of public transport to allow journeys to work, retailing, leisure and recreation facilities. The District Council has published the results of both surveys as a background document to this Plan.
- 2.8.4 The survey results have therefore been used to establish a hierarchy of settlements (set out in Policies DS11 and DS12) below, and these settlements will act as the focus for local needs development arising from within the rural areas throughout the Plan period.
- 2.8.5 Development for local needs employment will be considered in accordance with Policy DS11. No formal rural allocations have been proposed for employment development however, proposals in accordance with Policies DS11 and DS13 will contribute towards the Rural Windfall Allowance proposed under Policy DS9. Where appropriate, employment development will be directed to Category 1 and then Category 2 settlements.
- 2.8.6 The settlement hierarchy established by Policies DS11 and DS12 has also influenced other Local Plan policies addressing needs for community facilities and affordable housing in the form of exception schemes.
- 2.8.7 Settlement boundaries for Category 1 and 2 settlements have been examined as part of Local Plan preparation and a number of revisions to previously adopted settlement boundaries have been made. Revisions have been assessed and proposed against the following criteria.
- the need to reflect the settlement hierarchy and classification;
 - proposed development sites and boundary changes arising from Key Issues Consultation;
 - the consistency of existing boundaries identified in the Adopted Plan; and ,
 - boundary changes arising from appeal decisions and planning permissions.
- 2.8.8 Further information regarding the assessment of proposed settlement boundaries is contained in the Schedule of Key Issues Site Responses and Settlement Boundary Changes Background Document, published by the District Council.
- 2.8.9 Government guidance in PPG7 'The Countryside' places considerable importance on encouraging economic activity in rural areas whilst conserving and enhancing the countryside. Policy D27 of the WCSP encourages employment opportunities in sustainable rural settlements but stresses that the level of new employment development should be appropriate to meet the local needs generated by the local population.

Figure 2.1 Rural Settlement Hierarchy



2.8.10 A wide variety of employment sites are located within the District's rural area including a number of small and medium sites with one or more occupiers and users. However, there is little evidence of existing or future demand for new employment sites in such locations so no new rural employment sites allocations are proposed. New employment opportunities will therefore be directed firstly to the larger rural settlements identified as Category One settlements in the Local Plan settlement hierarchy.

Policy DS11 Rural Settlements

Development to meet local needs arising from within the rural areas will be directed to the settlements identified by Policies DS11 and DS12 and in accordance with the hierarchy established by those and other policies in the Local Plan.

The hierarchy established by Policies DS11 and DS12 reflects the sustainability credentials of the District's rural settlements and, notwithstanding local housing needs for affordable housing, new development will be directed to Category 1 and then Category 2 settlements.

For the purposes of the Local Plan Category 1 settlements are:

**Clifton upon Teme
Great Witley
Hallow
Hanley Swan
Kempsey
Leigh Sinton
Lower Broadheath
Martley
Powick
Rushwick
Tenbury
Upton
Welland**

For the purposes of the Local Plan Category 2 Settlements are:

**Abberley Common
Alfrick
Broadwas
Callow End
Clows Top
Hanley Castle
Holt Heath
Shrawley**

Reasoned Justification

2.8.11 There is a need to avoid sporadic development in the countryside and support the provision of limited development to meet local needs arising from within the rural areas in sustainable rural settlements where opportunities exist to support and possibly enhance services and facilities available to rural communities.

2.8.12 The District Council has undertaken survey work to inform its rural policies and establish a network of potential rural service centres. The resulting rural settlement hierarchy reflects the relative sustainability of settlements and will be used as a basis for guiding development to appropriate locations.

2.8.13 However, it is recognised that within parts of the District the coverage of settlements identified by Policies DS11 and DS12 is relatively sparse reflecting low population densities. Consequently, Policy DS12 accepts that exceptionally it may prove necessary to allow affordable housing at a very small scale to meet specific local housing needs in locations not

covered by the settlement hierarchy. However, as with all other forms of development such proposals will only be approved if it can be demonstrated that proven local housing needs for affordable housing cannot be met within a nearby Category 1, 2, 3 or 4 settlement.

- 2.8.14 With regard to exceptional residential development in accordance with Policy CN3 and for the purposes of applying Policy DS12, the term 'adjacent' to the settlement boundary will normally be interpreted as meaning immediately adjoining the existing settlement boundary (where one exists). However, where there are no suitable sites immediately adjoining the settlement due to the sensitivity of the setting of the settlement or adjacent buildings, consideration may exceptionally be given to sites not immediately adjoining the settlement boundary. However, to be acceptable proposals will need to be able to demonstrate that they are closely related and sympathetic to the existing settlement pattern. In addition they will be in accordance with policies which seek to protect the landscape character of the rural area and also demonstrate that they do not undermine objectives for sustainable development.
- 2.8.15 Local needs for housing during the Plan period will be met through existing planning permissions, windfall dwellings and affordable housing in accordance with Policy CN3 for exceptions housing. Consequently, no allocations within rural settlements are made in this Plan for large residential development sites (5 or more dwellings) within the Plan period and the release of additional sites adjacent to settlement boundaries (other than exceptionally for affordable housing) will not be permitted.
- 2.8.16 It is unlikely that development approved adjacent to the settlement boundary under Policy DS11 will be brought within the extent of the settlement by virtue of subsequent review of the settlement boundary.
- 2.8.17 The District Council considers that the settlements of Hallow, Lower Broadheath, Rushwick, Powick and Kempsey may come under pressure to absorb housing and other development needs associated with Worcester due to their proximity to the City. There is no basis for possible cross boundary development within strategic guidance for the plan period. Consequently, development proposals in these settlements will be closely examined to ensure that they do not undermine objectives for sustainable development and reducing the need to travel, and address 'local needs' only development associated with Malvern Hills District. Furthermore, Worcester City itself does not constitute a settlement within the context of the settlement hierarchy established by Policy DS1 or the implementation of other Local Plan policies which enable the development for local needs adjacent to rural settlements within the open countryside.
- 2.8.18 The Village Facilities Survey and Public Transport Survey identified Ryall / Holly Green as a Category 3 Settlement. However, Tunnel Hill based on survey results did not meet the specification for this category. Ryall / Holly Green and Tunnel Hill are closely associated with Upton which provides a wide range of facilities and services commensurate with its status as a Town Centre. However, it is recognised that Upton is severely constrained by the existence of the flood plain and that there are relatively few development opportunities within or adjacent to the town available to meet local needs and specifically local housing needs. Consequently, it is proposed that, notwithstanding the findings of the Village Facilities Survey and the Public Transport Survey, to identify Ryall / Holly Green as a Category 3 settlement and Tunnel Hill as a Category 4 settlement to provide opportunities for local housing need to be met, should such needs arise, within the Plan period. This approach should also avoid pressure for sporadic development in the countryside around Upton to meet local housing needs.
- 2.8.19 Windfall development will continue on appropriate sites within the defined settlement boundaries. For the purposes of the Local Plan, in-filling is defined as *the "development of a small gap in an otherwise built-up frontage"*. However not all gaps may be appropriate for in-fill development as they may form important features in the settlement and/or allow attractive views to be gained of features beyond the site. In such cases development will not be permitted.

2.8.20 Employment development within or adjacent to rural settlement boundaries will be considered in accordance with Policy DS13. However, in general employment development will be directed to Category 1 and then Category 2 settlements.

Housing in Category 1, 2, 3 and 4 Settlements

Policy DS12- Housing in Category 1-4 Settlements

(1) New housing within Category 1 Settlements (as listed in Policy DS11) will be restricted to:

- a) Infill housing within gaps in established frontages and inside the settlement boundary as shown on the Inset Proposals Maps;
- b) Residential conversions of existing buildings of acknowledged topographical interest or distinct local character;
- c) Replacement of individual buildings of little or no such interest or character, provided that the building in question does not constitute an essential community facility not duplicated or replaceable elsewhere in the settlement;
- d) Redevelopment of sites containing uses or buildings of adverse effect on the immediate local environment;
- e) Affordable housing (in accordance with Policy CN3) either within or acceptably adjacent to the settlement boundary.

Category 1 settlements will be the focus for local needs development which is genuinely required to meet the needs of the rural area throughout the plan period.

(2) New housing within Category 2 Settlements (as listed in Policy DS11) will be restricted to:

- a) Infill housing within gaps in established frontages and inside the settlement boundary as shown on the Inset Proposals Maps;
- b) Residential conversions of existing buildings of acknowledged topographical interest or distinct local character;
- c) Replacement of individual buildings of little or no such interest or character, provided that the building in question does not constitute an essential community facility not duplicated or replaceable elsewhere in the settlement;
- d) Redevelopment of sites containing uses or buildings of adverse effect on the immediate local environment;
- e) Affordable housing (in accordance with Policy CN3) either within or acceptably adjacent to the settlement boundary, in the absence of alternative sites in Category 1 Settlements.

(3) New housing within Category 3 Settlements (as listed below) will be restricted to:

- a) Residential conversions of existing buildings of acknowledged topographical interest or distinct local character;
- b) Replacement of individual buildings of little or no such interest or character, provided that the building in question does not constitute an essential community facility not duplicated or replaceable elsewhere in the settlement;
- c) Affordable housing (in accordance with Policy CN3) either within or acceptably adjacent to the settlement, where it can be demonstrated that local housing needs cannot be met within Category 1 or 2 Settlements.

Category 3 Settlements are locations where limited development to address local affordable housing needs in the form of exception schemes under Policy CN3 may be acceptable. The settlements have relatively few services and facilities and a low level of public transport provision.

For the purposes of the Local Plan, Category 3 Settlements are:

**Bushley
Colletts Green
Grimley
Guarlford
Eardiston
Earls Croome
Little Witley
Longdon
Longley Green
Pendock
Ryall and Holly Green
Severn Stoke
Sinton Green
Suckley**

(4) New housing within Category 4 Settlements (as listed below) will be restricted to:

- a) The conversion or replacement of appropriate buildings;**
- b) Affordable housing (in accordance with Policy CN3) within or acceptably adjacent to the settlement, where it can be demonstrated that local housing needs cannot be met within Category 1-3 Settlements.**

Category 4 settlements are to be regarded as being within the open countryside. They do not have defined settlement boundaries but are locations where small schemes to address local affordable housing in the form of exception schemes may be acceptable.

For the purposes of the Local Plan Category 4 Settlements are:

**Abberley Village
Bayton
Bransford
Corse Lawn
Dunley
Pensax
Tunnel Hill**

Reasoned Justification

- 2.8.21 In addition to the main urban area of Malvern, Category 1 settlements are considered to offer the greatest range of facilities and access to public transport.
- 2.8.22 The selected Category 1 settlements included offer a range of community services and facilities including shops, post offices, village halls and schools and are considered to be capable of accommodating rural local needs development without undermining objectives for sustainable development. However, it is essential that any development should not be to the detriment to their overall character and environmental quality.
- 2.8.23 Category 2 settlements have a reasonable range of services and facilities and levels of public transport provision. Such settlements are suitable for development by means of infilling established frontages or the conversion or replacement of appropriate buildings within the settlement boundaries.
- 2.8.24 Exception schemes for affordable housing will also be considered in appropriate locations within or immediately adjacent to the settlement boundary of both Category 1 and 2 settlements.

- 2.8.25 The District Council will monitor closely the rural windfall allowance and if residential windfall development does not meet current expectations, consideration will be given to modest rural residential allocations in selected Category 1 Settlements to meet local needs through early review of this Plan.
- 2.8.26 For the purposes of new housing in the Local Plan, Category 3 settlements are not regarded as open countryside and therefore have settlement boundaries around them. In recognition of their more limited range of services and facilities and low levels of public transport (in comparison with Category 1 and 2 settlements) residential development will be restricted to conversions of buildings of acknowledged interest and character, replacement of certain categories of individual buildings and affordable housing which such development can not take place in a Category 1 or 2 settlement. Further, the relative lack of sustainability credentials of Category 3 settlements means that redevelopment of sites containing uses or buildings of adverse effect on the immediate local environment will not be appropriate within these settlements. For the purposes of controlling development in Category 4 settlements (in the specific context of Policies DS13-15, EP6 and CN8) these settlements are to be treated as if they are in the open countryside.
- 2.8.27 Development proposals for exception schemes under Policy CN3 (Rural Exception Sites) should demonstrate why identified local housing needs could not be met within a more sustainable Category 1 and 2 settlement in the rural settlement hierarchy.
- 2.8.28 The settlements identified in the settlement hierarchy enable affordable housing schemes to come forward in a wide range of rural settlements. However the District Council recognises that a need for such schemes may exist in other locations which are not listed in the above settlement Categories. In order to address such needs, in exceptional circumstances where a proven need exists which cannot be met in one of the settlements listed above in Policies DS11 and DS12, consideration may be given to alternative rural locations. Such consideration will have regard to the District Housing Needs Assessment, a Parish Housing Needs survey and reasons why the identified need cannot be met in a settlement specified in the above Categories. Other issues that will be taken into account include sustainability, economic and social isolation, site viability and the need for the site to be environmentally acceptable without creating any amenity or highway problems.
- 2.8.29 For reasons of social isolation the District Council does not consider that it would be appropriate to extend this approach to the consideration of OAP and special needs accommodation which it is considered should be located in more sustainable locations.
- 2.8.30 In the absence of a settlement boundary defined on the Proposals Map it is essential that any housing provided under the terms of Policy D12 pays particular regard to the appropriateness of the proposal in the landscape, and it will be assessed alongside other policies related to the level of development in the open countryside and the objectives of the Landscape Character Assessment undertaken for Worcestershire.

Employment Development and Rural Settlements

Policy DS13 - Employment Development within or immediately adjacent to Rural Settlements

- (1) Employment development will be permitted within or adjacent to the settlement boundaries shown on the Proposals Map for Category 1 and 2 Settlements where:
 - a) the proposed development is of a scale and form in keeping with the size and character of the settlement and its setting; and**
 - b) the level of development can be clearly related to the employment needs of the local economy and workforce.****
- (2) The location of significant Class B.1 (a) development within the rural areas is likely to undermine sustainable transport objectives and those policies which seek to focus office development in Town Centres and therefore will not be permitted.**
- (3) Proposals located outside but adjacent to the settlement boundaries should be closely related to the settlement and should demonstrate there are no other suitable sites available within the settlement boundary. Wherever possible, proposals should make use of previously developed land and buildings.**

Reasoned Justification

- 2.8.31 Employment development scattered throughout the countryside and poorly located to where people live will not serve the District Council's objective of seeking to minimise unsustainable patterns of development. However new employment opportunities of an appropriate scale can help in moving towards a better balance between jobs and housing. Policy DS13 therefore seeks to encourage employment development in sustainable rural locations.
- 2.8.32 The applicant/developer will be required to demonstrate that the proposed development will contribute to meeting local employment needs associated with the rural location. Information submitted in support of the application should include local unemployment rates, the location of other employers or businesses in the local area and details of the likely number and type of jobs created by the proposed development, which will be available to local people.
- 2.8.33 With regard to employment development in accordance with Policy DS13, the term 'adjacent' to the settlement boundary will normally be interpreted as meaning immediately adjoining the existing settlement boundary. However, where there are no suitable sites immediately adjoining the settlement due to the sensitivity of the setting of the settlement or adjacent buildings, consideration may exceptionally be given to sites not immediately adjoining the settlement boundary. However, to be acceptable proposals will need to be able to demonstrate that they are closely related and sympathetic to the existing settlement pattern. In addition they will be in accordance with policies which seek to protect the landscape character of the rural area and also demonstrate that they do not undermine objectives for sustainable development.
- 2.8.34 The District Council considers that there may be pressure for employment development, generally consistent with Policy DS13, to take place within the Category 1 settlements of Hallow, Lower Broadheath, Rushwick, Powick and Kempsey. This would be an inappropriate alternative to the location of such development within the adjacent City of Worcester. Clearly during the Plan period development needs associated with Worcester should be accommodated within the City boundary in order that employment development within the above rural settlements is limited to that required to meet local needs only and to reduce the potential for unsustainable reverse commuting into the rural areas. Consequently, employment development proposals in these settlements will be subject to close examination to ensure that they do not undermine objectives for sustainable development and reducing the need to travel.

- 2.8.35 However, the District Council is aware of the need to encourage rural renaissance and that the regeneration should be directed to appropriate rural areas. Therefore, employment opportunities in accordance with Policy DS13 within the Rural Regeneration Zone (RRZ) and Objective 2 Area will be encouraged and where appropriate supported. These areas will remain a focus for such development during the Plan period, subject to any future review of regeneration areas at the Regional level at the end of the current funding programme in 2006.
- 2.8.36 The Local Plan has identified a hierarchy of settlements. Policy EP3 (Office Development) seeks to direct significant office development to Malvern (as the main urban area) or the other Town Centres of Upton and Tenbury. Significant office development in the rural areas is likely to not be in accordance with local needs and is likely to promote car based commuting, and will therefore not be permitted. However, consideration will be given to modest Class B1 (a) proposals in accordance with Policy DS13 where these can be clearly related to local needs and particularly where they involve the re-use or conversion of appropriate rural building.

2.9 Open Countryside

Policy DS14 - Housing Development in the Open Countryside

Areas outside of settlement boundaries as shown on the Proposals Map are defined as open countryside. New housing development will not be permitted in the open countryside unless it is;

- a) a dwelling clearly necessary for use by rural workers including persons employed in agriculture, forestry or horticulture or a rural enterprise;**
- b) affordable housing on an exception site;**
- c) a replacement of an existing dwelling with established use rights;**
- d) an extension to an existing dwelling; or**
- e) a conversion of an existing rural building.**

Reasoned Justification

- 2.9.1 The exceptions referred to in a) - e) of the policy are provided for in National Planning Policy Guidance, Worcestershire County Structure Plan policy and other policies within the Local Plan, namely policies CN4 (Rural Workers Dwellings), CN3 (Rural Exception Sites), CN8 (Replacement Dwellings in the Open Countryside), CN9 (Extensions and Alterations to Dwellings and the Erection of Outbuildings within the Domestic Curtilage) and EP6 (The Re-use of Rural Buildings).
- 2.9.2 PPG3 'Housing' recognises that previously developed land may occur in both built up areas and rural settings. Where such sites lie outside of a village particularly if they are remote, they will not be sustainable in terms of location and accessibility.
- 2.9.3 Outside of settlement boundaries, further new housing development will be strictly limited. Particular emphasis will be placed on the provision of affordable housing to meet local needs and the encouragement of small scale employment opportunities, particularly through the re-use of existing buildings and farm diversification.
- 2.9.4 Policy DS12 provides guidance with regard to the status of both Category 3 and 4 settlements.

Policy DS15 - Employment Development in Category 3 Settlements and Open Countryside

New employment development in Category 3 Settlements and in the open countryside will only be permitted where the proposed development consists of:

- a) the re-use or conversion of existing rural buildings; or,**
- b) the extension of an existing employment building; or,**
- c) a farm diversification scheme;**

And where:

- d) the proposal will not generate trips by heavy goods vehicles using unsuitable rural roads; and,**
- e) the level of development can be clearly related to the employment needs of the local economy and local workforce.**

Reasoned Justification

- 2.9.5 It is recognised that widespread dispersal of employment uses could cause an adverse impact on the environment and lead to excessive journeys by car. A key element of the spatial strategy of the Plan as set out in Policy DS1 is meeting local employment needs. The policy aims to relate new employment development to local needs to aid rural regeneration where possible and deter speculative proposals for general employment development which would generate commuting from other locations. Proposals for new employment development coming forward under these terms relate to local needs and should not undermine sustainable development objectives.
- 2.9.6 In the open countryside employment generating uses will be limited to those which can make use of existing buildings, which are necessary to meet the needs of agriculture, forestry or mineral working or arise from farm diversification.
- 2.9.7 Policy DS12 provides guidance with regard to the status of both category 3 and 4 settlements.
- 2.9.8 Further policies on employment are located within the Economic Prosperity section of this Plan.

2.10 Flooding

Policy DS16 - Development and flood risk

- (1) Development in all areas at risk of flooding will only be permitted where an appropriate flood risk assessment has been carried out and the proposed development meets all the following criteria:**
- a) there are no reasonable alternative locations available in a lower risk zone;
 - b) it would not itself be at unacceptable risk from flooding;
 - c) it would not exacerbate existing or result in new flood problems or increase the risk of flooding elsewhere;
 - d) it would not impede the flow of flood water;
 - e) it would not reduce the capacity of the floodplain to store flood water;
 - f) it incorporates appropriate minimum standards of flood defence maintainable for the lifetime of the development (for residential development this will include a dry pedestrian and vehicular access);
 - g) it would not involve building, fencing or other above ground obstructions within 8 metres from the top of bank of the channel of main river watercourses or 5 metres from top of bank of any watercourse channel; and
 - h) it incorporates sustainable urban drainage systems (SuDS), where appropriate to limit the rate of surface water run-off from developed areas.
- (2) In areas of little or no flood risk, a flood risk assessment may still be required appropriate to the scale of the development, and developers should seek advice from the Environment Agency at the earliest opportunity.**

Reasoned Justification

2.10.1 Floodplains are areas of land which floodwater flows over in times of flood. Any development within them that reduces the storage capacity or impedes the flow of water will increase the risk of flooding elsewhere. For these reasons, development within land at risk of flooding should generally be avoided. It will only be permitted where no alternative locations are available on land at a lower risk of flooding and where the proposal complies with the policies of this Plan and Planning Policy Guidance (PPG) Note 25 – Development and Flood Risk. Where such development is allowed appropriate flood protection and mitigation measures will be required.

2.10.2 The Environment Agency has a duty to provide advice on flooding issues and has published Flood Zone maps. Appendix 8 illustrates the approximate extent of floods with a 1% probability occurrence for watercourses, or where greater, the highest known flood. The flood risk areas outlined are only indicative and may be subject to future revisions, and for smaller watercourses floodplain extents are not always available. Applicants are advised to contact the Environment Agency directly at the earliest opportunity or to seek advice from their website: www.environment-agency.gov.uk.

2.10.3 Planning Policy Guidance (PPG) Note 25 Development and Flood Risk introduces a precautionary principle to development in potential flood risk areas. For all proposals which may be affected by flooding by a watercourse regardless of size, a flood risk assessment must be carried out by the developer as outlined in PPG25 and submitted as part of the planning application. The flood risk assessment (FRA) should be carried out by a suitably qualified and experienced person on behalf of the developer (refer to PPG25 paragraph 60).

The Risk Based Approach

2.10.4 PPG25 also requires that local planning authorities should apply a risk-based approach to their decisions through the application of a sequential test. Three zones are identified according to degree of flood risk, ranging from little or no risk, through to high risk.

2.10.5 Zone 1 (Little or no risk) is where there is a less than 0.1% risk of flooding. Zone 2 (Low to Medium risk) is where there is a 0.1% to 1.0% annual probability of flooding and Zone 3 (High risk) is where the annual probability of flooding is greater than 1%.

Areas at High Risk

Within Zone 3 (High-Risk) there are 3 sub-divisions:

- 3a) Developed areas
- 3b) Undeveloped and sparsely developed areas
- 3c) Functional floodplain

2.10.6 Zone 3a 'Developed areas'. These are generally built up areas of land which are inundated by water in some flood events. The precedent of existing development is recognised and opportunities for appropriate redevelopment are a possibility, subject to compensatory works and proving there is no detriment in flood risk. Any new development will need to be appropriately defended to the standards advised by the Environment Agency. Residential development will need to provide safe dry pedestrian access to land outside of the 1% annual probability flood event, this is also applicable for any intensification of existing residential dwellings.

2.10.7 Zone 3b 'Undeveloped or Sparsely developed areas'. These are similar to the above however some development may have taken place in the past. In these areas new development should also be exceptional unless that particular location is absolutely essential and no other site is appropriate. In these instances the proposals should not result in any net loss of flood storage, increase in flood risk or impediment to water flows'.

2.10.8 Zone 3c The 'Functional flood plain' is defined as the unobstructed or active areas where water regularly flows in times of flood. Built development in such areas will be exceptional and limited to essential transport and utilities infrastructure that has to be located there because no other site can be found. However, there should be no net loss of flood storage, or increase to flood risk elsewhere and no impediment to water flows.

2.10.9 Where flood defences and related engineering works are proposed, the developer should ensure that recognised ecological, geomorphological, archaeological, landscape and recreational interests are fully taken into account and, where appropriate, mitigation provided.

Areas at Low to Medium Risk

2.10.10 In areas at low to medium risk the opportunities for development are greater but measures may still be required to mitigate potential flood risk. It is important for developers to discuss their proposal with the Environment Agency at the earliest practical opportunity to discuss the risks and to identify, in appropriate cases, what design criteria are necessary to mitigate flood risk problems. This would include incorporating suitable sustainable drainage systems to ensure that flows or volumes of surface water discharging to the receiving watercourse are not increased and mimic the existing characteristics of the catchment. Policy QL28 deals with surface water drainage issues.

2.10.11 Where development is permitted in areas at 'Low to Medium' or 'High' risk of flooding, the local planning authority will consider the removal of permitted development rights.

2.10.12 The District Council will also have regard to non-main river flooding considerations in the light of information contained on statutory drainage maps held by the District Council.

2.10.13 Criterion 7 of the policy relates to the need to maintain access to the watercourse for maintenance or improvements and provide for overland flood flows.

2.10.14 The Severn and Avon Vales Wetland Re-creation Project is a partnership project which restore large scale wetlands to the floodplains of the Rivers Severn and Avon. Development should not compromise the aims of this project.

2.11 Significant Gaps

Policy DS17 - Significant Gaps

Within the Significant Gaps, listed below and defined on the Proposals Map and Inset Maps, planning permission will not be granted for development unless it is appropriate to a rural area and has no demonstrably adverse effect on the existing open and essentially undeveloped character of the land. Acceptable development may include the re-use of rural buildings, agricultural and forestry-related development, home-based businesses, playing fields, other open land uses and minor extensions to existing dwellings.

- (1) Malvern – Leigh Sinton
- (2) Lower Broadheath – Worcester
- (3) Kempsey – Worcester

Reasoned Justification

- 2.11.1 The countryside around settlements can be particularly valuable as it performs a wide variety of functions, for example acting as a setting to the built up area, a transition between urban and rural areas and a physical separation of neighbouring settlements and communities.
- 2.11.2 Policy DS17 is intended to provide additional protection to some of the most vulnerable gaps or fringe/buffer areas between rural settlements and adjacent urban areas at Malvern and Worcester City. These areas are subject to development pressures and it is considered important in landscape terms to maintain a clear separation between settlements and urban areas in order to avoid coalescence.
- 2.11.3 Development within the strategic gaps could reduce the visual separation of settlements in a variety of ways. For example development could introduce urban features into a predominantly rural landscape, it could be visually prominent, it could require the removal of trees, woodland or other topographical features that perform an important screening function or it could reduce the feeling of openness or the undeveloped character of the gaps.
- 2.11.4 Any development proposals coming forward under the terms of other policies in the Local Plan within the strategic gaps as defined on the Proposals Map will be carefully scrutinised in order to ensure that they do not diminish the openness of the area physically or visually.
- 2.11.5 The City of Worcester Local Plan includes a Green Network designed to protect open spaces within the City and important to its character and acknowledges the need to take into account the importance of the associated countryside beyond the city boundary in order to safeguard the City's rural setting and protect important views in and out. The District Council supports this view but considers in addition that the countryside outside the City boundary also performs an important function in maintaining strategic gaps between rural settlements and the City.
- 2.11.6 The area between Malvern town and Leigh Sinton, particularly along Leigh Sinton Road, has recently been subject to pressures for recreational development. The distance between the two built up areas is 1600 metres and within which there are a number of commercial operations in addition to small groups of dwellings. The area forms part of a broader area

categorised as being of Moderate Sensitivity within the terms of the Malvern Urban Greenspace Study.

2.11.7 In addition to the specific significant gaps identified by Policy DS17, it is considered that it is important to protect the setting and character of other settlements across the District. Many of these are sensitive to change and closely reflect historic patterns of development. Consequently, the District Council will extend its recent work which involved assessing the setting of Malvern as part of the Malvern Urban Green Space Study, to other settlements. The preparation of settlement and village appraisals / Conservation Area Appraisals will, where appropriate draw upon work undertaken locally as part of the Parish Plan process which has been widely supported within the District.

2.12 Planning Obligations

Policy DS18 - Planning Obligations

- (1) Development proposals will only be permitted where existing services and infrastructure are available to meet the needs generated by the development or where provision will be provided and appropriate measures undertaken to safeguard the local environment.**
- (2) Planning obligations or other measures will be used to support the sustainable development objectives of the Local Plan and to secure necessary physical, social, economic and environmental infrastructure related to the development.**

Reasoned Justification

2.12.1 Planning obligations enable a local authority to enter into an agreement by negotiation or by unilateral undertaking with those with an interest in land. Planning Obligations usually regulate development or address the provision of community infrastructure which cannot be accommodated within a planning approval. The Council will ensure that obligations accord with the tests set out in Circular 05/2005 and Section 106 of the Town and Country Planning Act 1990 with respect to securing infrastructure, financial contributions or controls required to enable planning permission to be granted. Developers or landowners will be expected to finance the cost of provisions associated with the development or as a consequence of its impact on the wider environment.

2.12.2 The obligations should be directly related to the proposed development taking account of the scale and range of its impact, the type of development proposed and the costs associated with delivering and servicing the development. Circumstances may arise where it is appropriate to seek contributions from small-scale developments where their cumulative impact would place pressure on existing services and infrastructure. Statements detailing environmental impacts may be required to assist the Council in determining the impact of the development on the community and the local environment.

2.12.3 The need to work towards sustainable development is central to this Plan's aims and its development strategy. Circular 1/97 Planning Obligations (replaced by Circular 05/2005) states that development should be provided in a way that adds to rather than detracts from the quality of the environment and supports the use of planning obligations to secure sustainable development. The range of planning obligations used will vary according to the circumstances of the development but may include:

- providing sustainable transport through the provision of transport infrastructure and highway improvements which support the increased use of public transport, walking, cycling and horse riding. This approach is supported by PPG13;
- affordable housing;
- educational, health care and community facilities;
- recreational and leisure facilities including the provision of public open space and amenity areas and where appropriate, commuted sums for maintenance;

- environmental protection and enhancement - for example, improvements to the natural and built environment, flood defence and mitigation works, measures to ensure sustainable methods of surface water drainage such as Sustainable Urban Drainage Systems (SUDs), increased woodland cover/compensatory tree planting and the protection or improvement of wildlife habitats and biodiversity;
- promoting urban and rural regeneration and social inclusion;
- local employment and training opportunities;
- waste management and recycling;
- Public Art;
- ICT (Information Communication Technology) infrastructure.

2.12.4 Detailed requirements relating to planning obligations will be addressed through other Plan policies and where necessary, the production of site-specific development briefs. This may involve the identification of planning obligations relating to local requirements specific to a particular location which are not outlined above. A Supplementary Planning Document (SPD) on Developer Contributions and Planning Obligations is being prepared as part of the Local Development Framework for Malvern Hills District.

2.12.5 Worcestershire County Council has also produced Supplementary Planning Guidance on Section 106 Planning Obligations - Education Facilities April 2003 which has been adopted by the District Council and will be used in negotiating obligations for educational purposes.

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