

Malvern Hills District Council



Malvern Town Neighbourhood Plan

Minor Modifications

Planning Practice Guidance on Neighbourhood Planning says minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.

Planning Practice Guidance says that a local planning authority may make such updates at any time, but only with the consent of the qualifying body. Consultation, examination and referendum are not required.

The Malvern Town Neighbourhood Plan passed Referendum with an 86% vote in favour on 2 May 2019.

Malvern Town Council has identified a number of errors in the submitted and examined Neighbourhood Plan and has proposed that these be corrected prior to the Plan being published by Malvern Hills District Council.

Malvern Hills District Council' Executive Committee agreed to make the Malvern Town Neighbourhood Plan on 25 June 2019. The decision to make the Malvern Town Neighbourhood Plan was endorsed by the Council on 23 July 2019. The Council also delegated to the Chief Executive, in consultation with the relevant Portfolio Holder, to make any necessary minor (non-material) modifications proposed by Malvern Town Council to correct errors in the submitted and examined Neighbourhood Plan prior to the Plan being published by the Council.

Having considered each of the proposed modifications it is considered that the errors should be corrected and that they would be minor (non-material) modifications which do not materially affect the policies in the plan. All of the proposed modifications are supported by Malvern Town Council.

For the reasons outlined above, Malvern Hills District Council, with the consent of Malvern Town Council, has decided to make the minor modifications to the Malvern Town Neighbourhood Plan as detailed in Table 1.

Jack Hegarty

Chief Executive

23 August 2019

Table 1 - Schedule of Proposed Minor Modifications to Malvern Town Neighbourhood Plan

| Part of document | Minor modification(s) proposed by Malvern Town Council | MHDC Response |
|---|--|--|
| <p>Policy MG1 Local Green Spaces</p> <p>Figure 5.1 Figure 5.1.6 in Appendix 5.2</p> | <p>Amend Figures 5.1 and 5.1.6 to delete private garden included in error, shown in red below.</p>  | <p>Inclusion of the private garden was a presentational error.</p> <p>Agreed, Figures 5.1 and 5.1.6 to be amended to delete private garden.</p> |
| <p>Policy MC1 Community Facilities</p> <p>Figure 5.5</p> | <p>Amendments required to Figure 5.5 to ensure that the numbered Community Facilities on Figure 5.5 correspond with the numbered Community Facilities in Appendix 5.6:</p> <ul style="list-style-type: none"> • Delete D5 because of factual error. The facility at | <p>Figure 5.5 and Appendix 5.6 need to be consistent to enable decision makers to apply Policy MC1 consistently and with confidence when determining planning applications.</p> <p>Agreed, errors in Figure 5.5 to be amended accordingly:</p> |

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| | <p>the location shown as D5 is the Sunshine Children’s Centre and Malvern’s Special Families, Bluebell Close, not the “Malvern Foley Institute” which is listed in Appendix 5.6. The Sunshine Children’s Centre had been deleted from Appendix 5.6 of the submitted Plan because it is not a community centre.</p> <ul style="list-style-type: none"> • Delete A10, A11, A12 and A13 from Figure 5.5 to accord with Appendix 5.6. The facilities identified as A10 to A13 in Figure 5.5 were deleted from Appendix 5.6 of the submitted Plan because they are <i>private</i> practices rather than <i>community</i> health facilities. Facilities A10 to A13 were mistakenly not deleted from Figure 5.5. | <ul style="list-style-type: none"> • D5 to be deleted from Figure 5.5 because its inclusion was a factual error. • A10, A11, A12 and A13 to be deleted from Figure 5.5 to be consistent with Appendix 5.6. |
| <p>Policy MC1 Community Facilities Appendix 5.6</p> | <p>Amendments required to Appendix 5.6 to correct factual errors and ensure that the numbered Community Facilities in Appendix 5.6 correspond with the Community Facilities mapped in Figure 5.5:</p> <ul style="list-style-type: none"> • A9 – Delete “Worcester Dental Access Centre, Osborne Road”. Factual error, facility no longer exists. • A10 - Rename “Aesthetic Dental Care Limited” as | <p>Figure 5.5 and Appendix 5.6 need to be consistent to enable decision makers to apply Policy MC1 consistently and with confidence when determining planning applications.</p> <p>Agreed, errors in Appendix 5.6 to be amended accordingly:</p> <ul style="list-style-type: none"> • A9 to be deleted from Appendix 5.6 to correct factual error. • “Aesthetic Dental Care Limited” to be |

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| | <p>“Malvern Orthodontics Centre”. Factual error, the practice has changed its name. Renumber A10 to A9 to accord with Figure 5.5.</p> <ul style="list-style-type: none"> • B1 – Replace “Albert Road North” with “Victoria Road” to correct factual error to the address. • D5 – Delete “Malvern Foley Institute, Poolbrook Road” and insert “intentionally left blank”. Factual error. The Malvern Foley Institute (now known as Poolbrook Village Hall) is shown as D6 on Figure 5.5. • D6 – Replace “Pickersleigh Malvern Youth Centre, 6-7 Baxter’s Walk” with “Poolbrook Village Hall, Poolbrook Road” to accord with Figure 5.5. Factual error, facility shown as D6 on Figure 5.5 is Poolbrook Village Hall. • H3 – Replace “Graham Road” with “Grange Road” to correct factual error to the address. • I7 – Delete “St Giles CE Church, Wykewane”. Factual error, St Giles Church is outside the neighbourhood area. • I8 – Renumber facility “I8” to “I6” to accord with Figure 5.5. St Mary the Virgin Church, Sherrards Green Road is shown as I6 on Figure 5.5. • I9 – Renumber facility I9 (Amida Mandala Buddhist Temple) to I7 to accord with numbered facility on | <p>renamed as “Malvern Orthodontics Centre” to correct factual error. A10 to be renumbered as A9 to accord with Figure 5.5.</p> <ul style="list-style-type: none"> • B1 – “Albert Road North” to be replaced with “Victoria Road” to correct factual error. • D5 – “Malvern Foley Institute, Poolbrook Road” to be deleted to correct factual error. “Intentionally left blank” to be inserted to provide consistency with Figure 5.5. • D6 – “Pickersleigh Malvern Youth Centre, 6-7 Baxter’s Walk” to be replaced with “Poolbrook Village Hall, Poolbrook Road” to accord with Figure 5.5 and correct factual error. • H3 – “Graham Road” to be replaced with “Grange Road” to correct factual error. • I7 – “St Giles CE Church, Wykewane” to be deleted to correct factual error. • I8 – Facility “I8” to be renumbered as “I6” to accord with Figure 5.5. • I9 – Facility I9 (Amida Mandala Buddhist Temple) to be renumbered as I7 to accord |

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| | <p>Figure 5.5.</p> <ul style="list-style-type: none"> • I11-I18 - Renumber facilities I11- I18 to I8-I15 to accord with numbering of facilities in Figure 5.5. • I19 – Delete “The Source Church, (Dyson Perrins School), Yates Hay Road” because the church is on the site of Dyson Perrins School and not shown on Figure 5.5. • I20 - Replace “Ascension Park Methodist Church” with “Church of Ascension C of E” to correct factual error to the name of the church. • I23 – Replace “Somers Road” with “Grovewood Road” to correct factual error to the address. • I20-I25 – Renumber facilities I20-I25 to I16 to I21 to accord with numbering of facilities in Figure 5.5. • I22 – Insert “Christ Church, Avenue Road” to accord with the numbered facility shown as I22 on Figure 5.5. • I23 – Insert “Lansdowne Crescent Methodist Church, Lansdowne Crescent” to accord with the numbered facility shown as I23 on Figure 5.5. | <p>with Figure 5.5.</p> <ul style="list-style-type: none"> • Facilities I11-I18 to be renumbered as I8-I15 to accord with Figure 5.5. • I19 – “The Source Church, (Dyson Perrins School), Yates Hay Road” to be deleted to correct factual error and accord with Figure 5.5. • I20 - “Ascension Park Methodist Church” to be replaced with “Church of Ascension C of E” to correct factual error. • “Somers Road” to be replaced with “Grovewood Road” to correct factual error. • I20-I25 – Facilities I20-I25 to be renumbered as I16 to I21 to accord with Figure 5.5. • I22 – “Christ Church, Avenue Road” to be inserted in Appendix 5.6 to accord with the numbered facility shown as I22 on Figure 5.5. • I23 – “Lansdowne Crescent Methodist Church, Lansdowne Crescent” to be inserted in Appendix 5.6 to accord with the numbered facility shown as I23 on Figure 5.5. |