



worcestershire county council

Ask for: Ben Horovitz

To: Planning Policy, Malvern Hills District Council

Date: 23 February 2017

From: Strategic Planning and Environmental Policy Manager

Subject: Consultation on the submitted Kempsey Neighbourhood Plan

Summary: Worcestershire County Council (WCC) welcomes the opportunity to comment on the submitted Kempsey Neighbourhood Plan. Officer-only comments from Sustainability, Archive and Archaeology, Minerals and Waste Planning Policy, Flood Risk Management, and Children Families and Communities are set out below. Other WCC departments may make their own comments.

WCC also submitted comments at an earlier consultation stage, and we note that not all of these comments have been reflected in the submitted plan.

Emily Barker
Strategic Planning
and Environmental
Policy Manager

County Hall
Spetchley Road
Worcester
WR5 2NP

Sustainability

The following are substantially the same comments that we made during the previous consultation:

The draft plan, whilst setting out a vision for Kempsey as a sustainable community, has not considered issues such as fuel poverty, energy efficiency, renewable energy generation, carbon emissions, waste and low-carbon transport options.

Sustainable new developments

The draft plan does not include policies to ensure that the new developments which will take place are as environmentally sustainable as possible. Policies K1 and K2, relating to new housing development, could include statements to ensure that the sustainability of any new dwelling is considered. These could be setting a higher standard than building regulations on the energy efficiency of the buildings, the water use and the building materials. Such statements could ensure a good standard of low-cost living, without further increasing the issue of fuel poverty, which is particularly prevalent in rural areas.

The SWDP states that new developments of one or more dwellings should generate at least 10% of their energy needs from renewable or low carbon sources. The neighbourhood plan could include provision whereby in cases where renewable energy cannot be installed or is limited, the new developments should allow for future retro-fitting of further renewable energy generation, for example ensuring that buildings are appropriately orientated wherever possible.

Fuel poverty in existing and new homes

Fuel poverty is a significant issue in rural communities and local plans are an opportunity to help address this. Fuel poverty in England is measured by the 'Low Income High Costs' definition. This considers a household to be in fuel poverty if they have required fuel costs that are above average (the national median level) and, were they to spend that amount, they would be left with a residual income below the official poverty line.

Fuel poverty results from a number of factors, including high energy prices and under occupation, but the main reasons are low income and inefficient housing. As fuel prices increase, the level of fuel poverty in the county is liable to increase. Since 2006 household heating bills have increased by £500 per year for a typical home (Committee on Climate Change report 'Household energy bills - impact of meeting carbon budgets'). Worcestershire now has more than one in ten households in fuel poverty. It is particularly prevalent in areas of the county without mains gas or where there are older properties that are not easy to insulate.

Community renewable energy generation

Community renewable energy projects are an opportunity for communities to take control of their own energy sources, reduce their local carbon emissions and generate a community income.

Community energy generation options include photovoltaic panels for electricity on a community building, a ground source heat pump for the same community building or a district heat network (a shared heating system for a new development).

For developments in areas of the parish that are off the gas grid, renewable energy could make particularly good financial sense, as well as reducing carbon emissions. Renewable electricity and renewable heat should be considered.

It may be possible for the community to be involved with community renewable energy projects through developers' projects, for example by raising money to enable a greater percentage of the energy needs of new dwellings to be generated by renewables. It may be possible to develop a community energy project jointly with an investor. Such a project would enable Kempsey to be more financially sustainable, by developing a community income source.

Worcestershire County Council is keen to see community energy schemes develop. A Community Energy Generation Strategy is currently being drafted. The Department for Energy and Climate Change's Community Energy Strategy could be taken into account (<https://www.gov.uk/government/publications/community-energy-strategy>). Governmental legally-binding targets are for 15% of the UK's energy consumption to be from renewable sources by 2020.

Waste

There is no mention in the plan to consider improving or increasing the opportunities for recycling or reuse of materials. This could be considered to improve the sustainability of the parish. Community composting may also be considered as a further sustainability initiative.

Ultra low emission vehicles

One objective in the draft plan is to promote safe, accessible transport of all varieties (objective 8). This could be partially achieved by opting to encourage electric vehicle driving and electric vehicle ownership. Measures could include the installation of public electric vehicle charging points.

In addition, a policy could include a requirement for new developments to install electric vehicle chargepoints for public use or to ensure wiring is in place to enable installation of chargepoints in the future. A policy could also encourage existing commercial or retail areas to consider installing electric

vehicle chargepoints. 7kW electric vehicle chargepoints, which charge a car in 2-3 hours, are relatively inexpensive and help to facilitate and encourage local electric vehicle ownership. Electric vehicles help to improve air quality and reduce carbon emissions.

Low carbon neighbourhood planning guidance

Further guidance related to low-carbon neighbourhood planning is available at <https://www.cse.org.uk/downloads/reports-and-publications/policy/community-energy/energy-advice/planning/renewables/low-carbon-neighbourhood-planning-guidebook.pdf>

The draft plan and development policies could also seek to take account of the Worcestershire Partnership Climate Change Strategy.

Worcestershire Archive and Archaeology Service

Although due consideration is given to designated heritage assets, non-designated heritage assets identified for potential local listing, and archaeology associated with valued landscapes (Policies 5, 6 and 7), an understanding of the wider historic environment including the broad character and appearance of the parish, and how this could inform any opportunities and constraints associated with new development (including the character and style of new development) could be strengthened.

A key issue is 'Future housing growth that, if not managed appropriately, could lead to Kempsey losing its character and appearance' but there is limited evidence relating to the broad, defining characteristics of the parish. A more robust evidence base would help strengthen policies (including design policy, which is at present unclear) and better guide development proposals. The Worcestershire Villages Historic Environment Resource Assessment has greater potential to inform, as does Your Place Matters: Community Planning Toolkit for the Future of Rural Buildings in their Setting (2016) www.worcestershire.gov.uk/YourPlaceMatters

Policy K2

The redevelopment of traditional farmsteads should be informed by the Worcestershire Farmstead Assessment Framework. This should be a key document to assist development proposals:
http://www.worcestershire.gov.uk/info/20230/archive_and_archaeology_projects/1023/historic_farmstead_characterisation

Minerals and Waste Planning Policy

Our comments on the 2016 Consultation Draft of the Kempsey Neighbourhood Plan and our earlier response to the consultation on the designation of the neighbourhood area highlighted that the Waste Core Strategy (2012) and the adopted County of Hereford and Worcester Minerals Local Plan (1997) form part of the Development Plan for the area, and a new Minerals Local Plan for Worcestershire is under preparation.

We note that paragraph 4.16 now states "*The development plan also includes the Worcestershire Minerals Local Plan. Minerals and waste issues are not matters for neighbourhood plans.*" Whilst it is true that, as "county matters", minerals and waste developments are "excluded development" under Section 61 of the Localism Act - meaning that the neighbourhood plan and any development orders are not be able to make provision for minerals or waste development in that area - it is important that the Neighbourhood Plan is in conformity with the development plan as a whole, and does not conflict with the provisions of the Waste Core Strategy or Minerals Local Plan.

We are therefore disappointed that our earlier comments have not been taken into account and consider that these issues need to be addressed before the Neighbourhood Plan can be "made".

Paragraph 4.1 as currently drafted is not accurate and must be amended, as the South Worcestershire Development Plan is only part of the statutory Development Plan for the area. We suggest below two options which would address this:

Paragraph 4.1 - Amendment option a)

Neighbourhood Plans are required to meet Basic Conditions, these include having regard to national planning policy and guidance to be in general conformity with the strategic policies contained in the Development Plan for the area: ~~the South Worcestershire Development Plan (SWDP)~~. This section of the Kempsey Neighbourhood Plan summarises the national and local planning policies which provide the planning framework for the draft Kempsey Neighbourhood Plan.

Paragraph 4.1 - Amendment option b)

*Neighbourhood Plans are required to meet Basic Conditions, these include having regard to national planning policy and guidance to be in general conformity with the strategic policies contained in the Development Plan for the area: the South Worcestershire Development Plan (SWDP), **the Waste Core Strategy and the Minerals Local Plan**. This section of the Kempsey Neighbourhood Plan summarises the national and local planning policies which provide the planning framework for the draft Kempsey Neighbourhood Plan.*

To demonstrate that the Neighbourhood Plan has considered and is in conformity with the whole Development Plan, we suggested in our earlier response including some analysis of the Waste Core Strategy and Minerals Local Plan in Chapter 4 under the "Strategic Planning Policy" subheading. We still consider that the Neighbourhood Plan would be strengthened by doing so, as follows:

Waste Core Strategy and Minerals Local Plan

Worcestershire County Council is responsible for the "county matters" of minerals and waste development. The Neighbourhood Plan is not able to make provision for minerals or waste development in the area, but it is important that it is in conformity with the Development Plan as a whole, and does not conflict with the provisions of the Waste Core Strategy or Minerals Local Plan.

The Waste Core Strategy was adopted in 2012 and includes a "Geographic Hierarchy". Settlements within Worcestershire perform different waste management functions, and the Geographic Hierarchy takes into account current waste arisings, resource demand and existing waste management capacity of each settlement. The settlements which have a major role to play are in the top levels (level 1 is the highest level) and those which have only a minor role are in the bottom levels (level 5 is the lowest level).

The northern part of the Kempsey Parish Area is identified as Level 1 in the geographic hierarchy as part of the "Worcester zone". The geographic hierarchy encourages the development of re-use, recycling, and to a lesser extent "other recovery" facilities, in Level 1. The remainder of the area is Level 5 which is the lowest level of the geographic hierarchy, meaning any proposals for waste management development in Level 5 would need to be strongly justified.

There are no specific site allocations in the Waste Core Strategy for waste management facilities, but the Neighbourhood Plan recognises that waste management facilities could be developed in the parish.

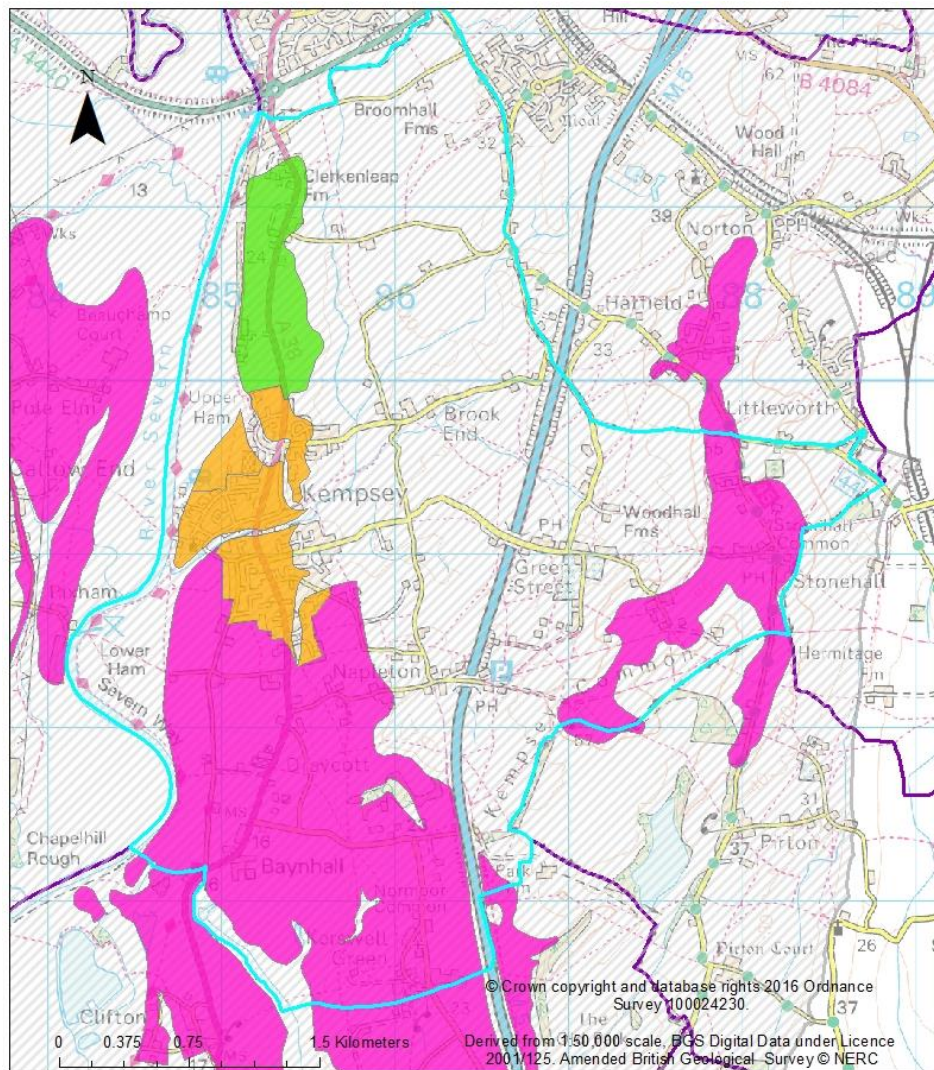
The County of Hereford and Worcester Minerals Local Plan was adopted in 1997. Worcestershire County Council is currently developing a new Minerals Local Plan for the county.

Kempsey Parish contains large areas of significant sand and gravel and clay resources (see Figure X). Background work has been undertaken to assess the potential significance of resources in the county which will form the basis for where minerals should be worked in the emerging Minerals Local Plan, as well as in identifying Minerals Safeguarding Areas and Minerals Consultation Areas. Safeguarding a mineral resource does not create a presumption that resources defined will be worked, and is not an absolute bar on other forms of

development, but the County Council may seek to safeguard these resources so that they are not needlessly sterilised by other forms of development, and this is likely to mean that developers will be required to assess their value before any decisions about the future use of the land are made.

Mineral resources are not currently worked in the parish, but Clifton Quarry lies just to the south of the parish up to the parish boundary adjacent to Ashmoor Common. It is possible that mineral working may take place within the parish in future.

Figure X. Mineral Resources in Kempsey Parish



Legend

- Sand and gravel: key resource
- Sand and gravel: significant resource
- Sand and gravel: not significant resource
- Sand and gravel: compromised resource
- Sand and gravel: out of county
- Mercia Mudstone Clay

We consider that part c) of the Neighbourhood Plan's Policy K1 is unnecessary, but if it is to be retained it needs to be amended as follows "... will be permitted if: c) It accords with other relevant policies of the Kempsey Neighbourhood Plan and **SWDP the wider Development Plan**".

Flood Risk Management

We note that the Neighbourhood Plan makes no mention of sustainable drainage and only a brief mention of flood risk. Currently planning guidance only recommends Sustainable Drainage Schemes (SuDS) on major development sites. The Neighbourhood Plan could usefully highlight that SuDS and the future maintenance of those SuDS is vitally important to the flood risk management of the area.

We recommend that the Neighbourhood Plan is amended to include policy wording in relation to the use of SuDS in new developments of any size. The Neighbourhood Plan would also need to make clear that all planning applications with SuDS will need to have arrangements in place to ensure the future maintenance of SuDS for the lifetime of the development.

Children Families and Communities

The County Council's Children Families and Communities Directorate (CFC) note the comments in the recently submitted Kempsey Neighbourhood Plan. Where planned housing development has been identified, we will continue to monitor housing growth in and around the local area and respond appropriately to ensure a sufficiency of school places, in line with current published policies.

We note in particular the comments submitted under item 6.7 with regard to the provision of temporary accommodation at Kempsey Primary School. CFC will continue to work with schools serving the local area to protect and enhance school assets and playing fields, in line with Government policies on the delivery of statutory education provision.