

Abberley Neighbourhood Development Plan
Regulation 16 Consultation
Malvern Hills District Council Officer Comments
January 2021

General Comments

As a context for our comments, the National Planning Policy Framework 2019 (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so, it sets out requirements for the preparation of Neighbourhood Plans and the role these should take in setting out policies for the local area. The requirements set out in the Framework have been supplemented by guidance contained in MHCLG's Planning Practice Guidance (PPG) on Neighbourhood Planning.

The strategic planning policy framework for the Abberley Neighbourhood Area is provided by the South Worcestershire Development Plan (SWDP) which was adopted in February 2016.

The housing requirement to 2030 in south Worcestershire is 28,370 dwellings. The SWDP makes provision for around 28,400 dwellings to meet this need. It should be noted that the South Worcestershire Councils have commenced a revision of the South Worcestershire Development Plan. The latest evidence of housing need is indicating that the revised SWDP (SWDPR) will need to plan for approximately an additional 14,000 dwellings across south Worcestershire in the period 2021 to 2041. The South Worcestershire Councils consulted on the SWDP Preferred Options between November and December 2019, including a proposed housing allocation in Abberley at land east of Clows Top Road (site reference CFS0601sc).

Whilst paragraph 69 of the Framework says that Neighbourhood Planning groups should consider the opportunities for allocating small and medium-sized sites suitable for housing in their area, the Framework does not require Neighbourhood Plans to allocate sites for housing. Paragraph 14 of the Framework does, however, confer a limited protection on Neighbourhood Plans which plan for housing where certain criteria are met. To benefit from the protection conferred by Paragraph 14 a Neighbourhood Plan would need to plan for housing through policies and allocations to meet the identified (or indicative) housing requirement in full, including possible allowance for some windfall development.

Following a request by Abberley Parish Council, the South Worcestershire Councils provided indicative housing requirement figures for the Abberley neighbourhood area in July 2019. The indicative housing requirement for the Neighbourhood Area for the period 2021 to 2030 was 1 dwelling (over-and-above existing allocations in the adopted SWDP). The indicative housing requirement for the Neighbourhood Area in the period 2031 to 2041 was a further 14 dwellings. It was highlighted that the housing requirement figures were “indicative”, should be considered as minimum requirements and may be subject to change, particularly as they were based on the current SWDP rather than the SWDPR.

As a general comment, District Council officers would like to commend Abberley Parish Council and their planning consultant for preparing a Neighbourhood Plan which we consider to be well presented, clear, concise and logical.

Cover and Neighbourhood Area Map

It is noted that the Neighbourhood Plan covers the period 2020 – 2030. If a Neighbourhood Plan referendum is held in 2021 then the Neighbourhood Plan will cover a 9 year period.

1. Setting The Scene

2. Abberley Neighbourhood Area

3. Vision and Objectives

Abberley Neighbourhood Development Plan Policies

4. Sustainable Development

Policy ABY1: Sustainable development

Development proposals which contribute to the sustainable development of the Abberley Neighbourhood Area will be supported. In making this assessment of sustainability, the following considerations will be sought and balanced, as relevant to the proposal:

- 1. retaining and enhancing social and community infrastructure and promoting and enabling new provision, to meet a range of needs and support quality of life;
- 2. ensuring that new housing addresses community needs;
- 3. conserving and enhancing the distinctive natural and historic environment of the Neighbourhood Area, with development avoiding undue loss of amenity or impacts on landscape character and biodiversity;
- 4. supporting existing, new and diversified employment opportunities which are compatible and in scale with the rural nature of the Neighbourhood Area.

Policy ABY1: Sustainable development

Policy ABY1 supports development proposals which contribute to sustainable development.

In making an assessment of sustainability, the following 4 objectives will be sought and balanced:

- 1. Retention and enhancement of social and community infrastructure and promotion and enable new provision, to meet a range of needs and support quality of life;
- 2. New housing to address community needs;
- 3. Conservation and enhancement of the distinctive natural and historic environment of the Neighbourhood Area, with development avoiding undue loss of amenity or impacts on landscape character and biodiversity;
- 4. Existing, new and diversified employment opportunities supported which are compatible and in scale with the rural nature of the Neighbourhood Area.

Policy ABY1 is an overarching policy. It is considered that Policy ABY1 has regard to the Framework and is in general conformity with the SWDP.

5. Social And Community

Policy ABY2: Type of new housing

Policy ABY2: Type of new housing

<p>To be supported, all new housing development proposals of five or more units must demonstrate, subject to viability considerations, that they provide a range of types, size and tenure of dwellings to meet local housing need. There is a particular need in the Neighbourhood Area for:</p> <ul style="list-style-type: none"> • Smaller family housing of 3 bedrooms or less • Housing designed to meet the needs of older people including bungalows. <p>Applicants should take account of the requirements of the most up to-date local Housing Needs Assessment.</p>	<p>Policy ABY2 supports development proposals which provide a mix of housing types, sizes and tenures to meet local needs.</p> <p>Based on a 2019 local Housing Needs Assessment, Policy ABY2 indicates a particular need in the Neighbourhood Area for smaller family housing of 3 bedrooms or less and housing designed to meet the needs of older people including bungalows.</p> <p>Applicants should demonstrate how their proposal takes account of the most up-to-date local Housing Needs Assessment.</p> <p>Policy ABY2 seeks to have regard to paragraph 61 of the Framework.</p> <p>Policy ABY2 is considered to be in general conformity with SWDP 14 (Market Housing Mix), encouraging residential development proposals of five or more units to include a mix of types and sizes of market housing.</p> <p>Policy ABY2 recognises that the mix of housing outlined in Policy ABY2 may change over time, thus applicants are to take account of the most up-to-date local housing needs assessment.</p> <p>It is considered that Policy ABY2 is based on proportionate evidence – the AECOM local Housing Needs Assessment (2019).</p> <p>It is considered that Policy ABY2 provides flexibility to take account of viability considerations but also provides a strong steer for decision makers when determining planning applications.</p>
<p>Policy ABY3: Criteria for development of Land at The Orchard</p>	<p>Policy ABY3: Criteria for development of Land at The Orchard</p>

Proposals for the development of land at The Orchard which meet the following requirements will be supported:

1. a maximum of six dwellings are provided which accord with policy ABY2; and
2. 20% of the dwellings are provided as affordable housing available in perpetuity for those in local housing need; and
3. the scheme is designed in accord with policy ABY9 and the principles in the Abberley Design Guide, illustrated in the concept plan (Plan 2); and
4. the existing dwelling and outbuilding are retained and incorporated in the scheme; and
5. vehicular access is taken from Clows Top Road, incorporating traffic calming as required to meet highway requirements and retaining as much of the existing roadside hedge as is consistent with junction design requirements; and
6. the new dwellings are positioned with their principal frontages to Clows Top Road or the site access/green space, and are sited and are of a design and height so as to retain existing views across the site from Clows Top Road and Churchfield Terrace as far as possible; and
7. a sustainable urban drainage strategy is provided to satisfactorily address surface water and foul drainage. The strategy should avoid discharging surface water to the public sewerage system where possible; and

Policy ABY3 supports development proposals for land at The Orchard (allocated in existing SWDP 59/1 for 6 dwellings), subject to the following 8 requirements being met:

1. Maximum 6 dwellings. Type and size of dwellings to accord with policy ABY2; and
2. 20% of the dwellings to be provided as affordable housing. Affordable housing to be made available in perpetuity for those in local housing need; and
3. Scheme to be designed in accordance with policy ABY9 and the principles in the Abberley Design Guide (illustrated in the concept plan - Plan 2); and
4. Existing dwelling and outbuilding to be retained and incorporated in the scheme; and
5. Vehicular access to be from Clows Top Road. Traffic calming to be incorporated. As much of the existing roadside hedge to be retained as possible; and
6. New dwellings to be positioned with their frontages to Clows Top Road (or the site access/green space). Siting / design / height of new dwellings to retain existing views across the site from Clows Top Road and Churchfield Terrace as far as possible; and
7. Sustainable urban drainage strategy to be provided to address surface water and foul drainage; and

<p>8. provision is made for green space and outdoor community uses in accord with SWDP 39 or its successor, incorporating pedestrian footpaths, pedestrian access between Clows Top Road and The Common to maximise connectivity to village facilities, and native species planting to consolidate the existing orchard trees.</p>	<p>8. Green space and outdoor community uses to be provided in accordance with SWDP 39 or its successor. Pedestrian footpaths and pedestrian access to be provided between Clows Top Road and The Common to maximise connectivity to village facilities. Native species to be planted to consolidate the existing orchard trees on the site.</p> <p>Whilst Planning Practice Guidance says that neighbourhood plans should not re-allocate sites that are already allocated in strategic plans, paragraph 28 of the Framework says that “non-strategic policies should be used by ... communities to set out more detailed policies for specific areas, neighbourhoods or types of development.” In light of this, it is considered that Policy ABY3 sets out a more detailed policy for SWDP 59/1.</p> <p>It is considered that the concept plan for Policy ABY3 (on page 17) helpfully illustrates the desired approach for applicants and decision takers.</p> <p>Paragraph 63 of the Framework says that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). Footnote 8 on page 16 helpfully clarifies that Abberley is a designated rural area.</p>
Community Facilities	
<p>Policy ABY4: Community facilities</p> <p>Development proposals that would result in the loss of existing community facilities will only be supported when the criteria in policy</p>	<p>Policy ABY4: Community facilities</p> <p>Policy ABY4 has 3 parts.</p>

<p>SWDP 37B or its successor can be shown to be met. Proposals in the vicinity of an existing community facility should not have a significant adverse effect on its operation, taking account of any mitigation proposed.</p> <p>The existing community facilities covered by this policy are shown on Plan 3 and are:</p> <ol style="list-style-type: none"> 1. Abberley Village Hall 2. Abberley Parochial VC Primary School 3. St. Michael's Church 4. St. Mary's Church 5. The Manor Arms 6. Abberley Hall School 7. The Elms Hotel and Spa. <p>The provision of new built community facilities or the enhancement of existing facilities will be required to demonstrate that:</p> <ol style="list-style-type: none"> 1. the siting, scale and design respects the character of the surrounding area, including any historic and natural assets; and 2. the local road network can accommodate the additional traffic without compromising highway safety, and; 	<p>Parts 1 and 2 of Policy ABY4 relate to the following 7 existing community facilities:</p> <ol style="list-style-type: none"> 1. Abberley Village Hall 2. Abberley Parochial VC Primary School 3. St. Michael's Church 4. St. Mary's Church 5. The Manor Arms 6. Abberley Hall School 7. The Elms Hotel and Spa. <p>The location of the 7 existing community facilities is helpfully shown on Plan 3 on page 19.</p> <p>Part 1 of Policy ABY4 resists development proposals that would result in the loss of existing community facilities (and associated land) unless the criteria in Policy SWDP 37B (or its successor) can be met.</p> <p>Part 2 of Policy ABY4 proposes that development proposals in the vicinity of any of the existing 7 community facilities should not have a significant adverse on the operation of the facility concerned.</p> <p>Part 3 of Policy ABY4 supports the enhancement of existing community facilities or the provision of new community facilities, subject to the following 3 criteria being met:</p>
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3. adequate off-road vehicle and cycle parking is provided on the site.

1. Siting, scale and design respecting the character of the surrounding area (including any historic and natural assets); and
2. Local road network being able to safely accommodate the additional traffic, and
3. Adequate off-road vehicle / cycle parking being provided on site.

Paragraph 92 of the Framework says planning policies should plan positively for community facilities and guard against the unnecessary loss of valued facilities and services.

Part 1 of Policy ABY4 echoes, and is therefore in general conformity with, SWDP 37B (Built Community Facilities).

Part 2 of Policy ABY6 seeks to reflect paragraph 182 of the Framework which says “Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”

It is considered that Part 3 of Policy ABY4 helpfully sets out criteria against which proposals for the enhancement of existing community facilities or provision of new community facilities would be assessed. It is suggested that Part 3 includes an additional criterion that “there will be no significant adverse impact on residential amenity”.

	Amongst other things, this would provide greater consistency with Policy ABY12.
6. Natural Environment	
<p>Policy ABY5: Landscape character</p> <p>Development proposals must demonstrate that:</p> <ol style="list-style-type: none"> 1. the characteristics and guidelines for the Landscape Type of the proposed site, as defined in the Worcestershire Landscape Assessment, have positively influenced the siting, design, scale, layout, landscaping and boundary treatment of the proposal; and 2. every available opportunity has been taken to strengthen the landscape character of the relevant Landscape Type, by retaining and conserving existing features such as trees, woodland and hedgerows, and by restoring, enhancing and making new provision where this is appropriate. 	<p>Policy ABY5: Landscape character</p> <p>Policy ABY5 requires development proposals to demonstrate that the following 2 criteria have been met:</p> <ol style="list-style-type: none"> 1. The Landscape Type of the proposed site (as defined in the Worcestershire Landscape Assessment) has positively influenced the siting, design, scale, layout, landscaping and boundary treatment of the proposal; and 2. Every opportunity has been taken to strengthen the landscape character of the relevant Landscape Type by retaining / conserving existing features (such as trees, woodland and hedgerows) and by restoring / enhancing / making new provision where this is appropriate. <p>Paragraph 170 of the Framework says that planning policies should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.</p> <p>Plan 4 (Landscape Types) on page 22 helpfully shows the landscape types in Abberley parish so that applicants and decision makers will know which landscape types apply to individual applications.</p> <p>Policy AB5 is considered to be in general conformity with SWDP 25 (Landscape Character) which requires development proposals to show that they have taken into account the latest Worcestershire</p>

	<p>Landscape Character Assessment (LCA) and its guidelines; that development is appropriate to the landscape setting; and that landscape characteristics and features have been conserved (and where appropriate, enhanced).</p>
<p>Key Views</p>	
<p>Policy ABY6: Key Views</p> <p>To be supported development proposals must demonstrate that they are sited, designed and of a scale such that they do not substantially harm the Key Views identified in Table 1 and on Plan 5.</p>	<p>Policy ABY6 proposes to designate 10 key views (identified in Table 1 and shown on Plan 5) which can be seen from publicly accessible rights of way and viewpoints.</p> <p>Policy ABY6 requires development proposals to demonstrate that they are sited, designed and of a scale such that they do not substantially harm the identified key views.</p> <p>Paragraph 170 of the Framework says that the planning system should protect and enhance valued landscapes.</p> <p>Whilst national and local planning policy protects local character, it does not provide or protect a “right to a view.” Planning policies can seek to protect specific views where this is justified in the wider public interest (for example from a public footpath, right of way, roadside, or other publicly accessible land). It is noted that paragraph 6.10 says that all of the proposed views can be seen from publicly-accessible rights of way and viewpoints and this is fairly evident from the photographs on pages 24 - 25.</p> <p>Plan 5 helpfully identifies the location and direction of the proposed Key Views. To provide a practical framework for decision makers (and applicants), ideally it would be helpful if the map showed the extent of the proposed Key Views, although it is acknowledged that</p>

	<p>the photographs on pages 24 - 25 provide a good indication of the extent of the views.</p> <p>It is important that objective criteria are established for the identification and grading of views. The Reasoned Justification explains that the proposed Key Views were identified by the NDP Steering Group.</p>
Biodiversity and Geodiversity	
<p>Policy ABY7: Biodiversity and Geodiversity</p> <p>The following sites of local biodiversity and geodiversity importance wholly or partly within or immediately adjoining the Neighbourhood Area are identified for protection in accordance with SWDP 22D or its successor:</p> <p>Local Wildlife Sites (Plan 6)</p> <ul style="list-style-type: none"> • Abberley Hill • Dick Brook • Ellbatch and Meneatt Woods • Ridding Coppice and Hall Wood <p>Local Geological Sites (Plan 7)</p> <ul style="list-style-type: none"> • Abberley Hall East (adjoining) • Abberley Hall (South Terrace) 	<p>Policy ABY7: Biodiversity and Geodiversity</p> <p>Policy ABY7 identifies the following 4 Local Wildlife Sites (shown on Plan 6), 7 Local Geological Sites (shown on Plan 7) and 1 Grassland Inventory Site (shown on Plan 7).</p> <p><u>Local Wildlife Sites</u></p> <ul style="list-style-type: none"> • Abberley Hill • Dick Brook • Ellbatch and Meneatt Woods • Ridding Coppice and Hall Wood <p><u>Local Geological Sites</u></p> <ul style="list-style-type: none"> • Abberley Hall East (adjoining the Neighbourhood Area) • Abberley Hall (South Terrace)

<ul style="list-style-type: none"> • Abberley Parish Quarry • Abberley Village Quarry • Shavers End (adjoining) • Shewards Quarry • The Woodlands Quarry <p>Grassland Inventory Sites (Plan 7)</p> <ul style="list-style-type: none"> • Hill Farm Meadows. 	<ul style="list-style-type: none"> • Abberley Parish Quarry • Abberley Village Quarry • Shavers End (adjoining the Neighbourhood Area) • Shewards Quarry • The Woodlands Quarry <p><u>Grassland Inventory Sites</u></p> <ul style="list-style-type: none"> • Hill Farm Meadows. <p>Policy ABY7 proposes that the 12 sites be protected from development in accordance with SWDP 22D or its successor.</p> <p>Paragraph 170 of the Framework says that planning policies should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).</p> <p>Policy ABY7 reflects, and is therefore in general conformity with, SWDP 22.</p> <p>Plans 6 and 7 helpfully show the location of the Local Wildlife Sites, Local Geological Sites and Grassland Inventory Sites which provides a practical framework for applicants and decision makers.</p> <p>It is noted that large parts of the Local Wildlife Sites, Local Geological Sites and Grassland Inventory Sites lie outside the Abberley Neighbourhood Area. It is considered that Policy ABY7 would only</p>
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	<p>apply to those parts of the sites that lie within the Neighbourhood Area. For clarity, it is suggested that Policy ABY7 includes a footnote to make clear that the policy would apply to those parts of the sites of local biodiversity and geodiversity importance within the Neighbourhood Area.</p>
<p>Local Green Spaces</p>	
<p>Policy ABY8: Local Green Spaces</p> <p>The following areas of land shown on Plan 8 are designated as Local Green Space:</p> <ol style="list-style-type: none"> 1. LGS1 St. Mary's Churchyard 2. LGS2 Abberley Village Green 3. LGS3 St. Michael's Churchyard 4. LGS4 Village Hall green space 5. LGS5 Rosedale, Abberley Common 6. LGS6 Abberley Parish Quarry. <p>Development that would result in the loss or partial loss of the Local Green Spaces will not be supported unless very special circumstances arise which outweigh the need for protection.</p>	<p>Policy ABY8: Local Green Spaces</p> <p>Policy ABY8 proposes the designation of 6 Local Green Spaces (shown on Plan 8) on which development will not be supported unless very special circumstances arise which outweigh the need for protection.</p> <p>The proposed Local Green Spaces are:</p> <ol style="list-style-type: none"> 1. St. Mary's Churchyard 2. Abberley Village Green 3. St. Michael's Churchyard 4. Village Hall green space 5. Rosedale, Abberley Common 6. Abberley Parish Quarry. <p>The Framework makes provision for a Neighbourhood Plan to identify Local Green Spaces of particular importance to the local community. Paragraph 99 in the Framework says the designation of land as Local Green Space through Neighbourhood Plans allows</p>

	<p>communities to identify and protect green areas of particular importance to them.</p> <p>Local Green Space is a restrictive and significant policy designation. It gives the land a similar status to that of Green Belt and for that reason paragraph 100 of the Framework says that such designations should only be used when the green space is in reasonably close proximity to the community it serves, where it is demonstrably special to the local community and holds a particular local significance, is local in character and not an extensive tract of land.</p> <p>The allocation of each Local Green Space requires robust justification. Appendix B on pages 47 – 48 of the draft Plan provides an assessment of the 6 proposed Local Green Spaces against the criteria in paragraph 100 of the Framework.</p> <p>It is considered that Plan 8 clearly shows the location and boundaries of the 6 proposed Local Green Spaces.</p>
<p>7. Built Environment</p>	
<p>Policy ABY9: Building design</p> <p>Development proposals should maintain and enhance the local distinctiveness of the Abberley Neighbourhood Area, achieve a high quality of sustainable design, enable healthy lifestyles and support local resilience to climate change by:</p> <ol style="list-style-type: none"> 1. having regard to the design guidelines set out in the Abberley Design Guide. A Design and Access Statement or similar should be provided to show how the design guidelines have 	<p>Policy ABY9: Building design</p> <p>Policy ABY9 proposes that all development proposals should incorporate the following 5 design principles:</p> <ol style="list-style-type: none"> 1. Provide a Design and Access Statement (or similar) to show how guidelines in the Abberley Design Guide have been addressed and influenced the design;

<p>been addressed and positively influenced the proposed design solution. Proposals for historic farmsteads should be sensitive to their distinctive character, materials and form; and</p> <ol style="list-style-type: none"> 2. incorporating sustainability measures to include building orientation and design, energy and water conservation, sustainable construction methods and materials, the generation of renewable energy (particularly for affordable and shared ownership homes), and provision for the recycling of waste, cycle storage, communications and broadband technologies, and electric vehicle charging points. All new housing should achieve the highest standards of energy conservation, being ideally carbon neutral whilst as a minimum complying with Building Regulations. The estimated consumption of wholesome water per dwelling, calculated in accordance with the methodology in the water efficiency calculator, should not exceed 110 litres/person/day; and 3. being capable of being safely accessed from the local road network without undue local environmental impacts which cannot be mitigated, not resulting in additional on-road parking, and promoting walking and cycling; and 4. avoiding creating unacceptable impacts on residential amenity and the tranquillity of the countryside from noise, volume and nature of traffic generated, dust or odour. External lighting should avoid undue adverse impacts on amenity, wildlife and dark skies; and 5. locating and designing new housing to avoid adverse impacts on the amenity of the future occupants from the operation of 	<ul style="list-style-type: none"> • Also, proposals for historic farmsteads should be sensitive to their distinctive character, materials and form, and <ol style="list-style-type: none"> 2. Incorporate the following sustainability measures: <ul style="list-style-type: none"> • Building orientation and design, • Energy and water conservation, • Sustainable construction methods and materials, • Generation of renewable energy (particularly affordable and shared ownership homes), • Provision for the recycling of waste, • Provision of cycle storage, • Communications and broadband technologies, • Provision of electric vehicle charging points, • Ideally be carbon neutral, but as a minimum complying with Building Regulations, • Estimated water consumption per dwelling should not exceed 110 litres per day; and 3. Safely accessed from the local road network without undue local environmental impacts which cannot be mitigated, <ul style="list-style-type: none"> • Incorporate adequate off-road parking
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existing uses, including agricultural, business and community uses, where such impacts could lead to unreasonable restrictions being placed on them.

Modern design approaches which take an innovative approach, including to energy efficiency and sustainability, will be welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.

- Promote walking and cycling; and
- 4. Avoid unacceptable impacts on residential amenity,
- Avoid unacceptable impacts on the tranquillity of the countryside from noise, volume and nature of traffic generated, dust or odour,
- External lighting to avoid undue adverse impacts on amenity, wildlife and dark skies; and
- 5. New housing to avoid adverse impacts on the amenity of the future occupants from the operation of existing uses, including agricultural, business and community uses.

Modern design approaches which take an innovative approach (including to energy efficiency and sustainability) are welcomed where they make a positive contribution to the character of the area and contribute to local distinctiveness.

The Government is seeking to support high quality design in all new development. Paragraph 124 of the Framework says good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.

Paragraph 125 of the Framework says plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded

	<p>in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.</p> <p>Paragraph 126 of the Framework says that to provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.</p> <p>Paragraph 131 of the Framework says that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.</p> <p>Paragraph 110e of the Framework says that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles.</p> <p>SWDP 21 (Design) seeks to ensure that new development will be of a high quality and integrates effectively with its surroundings and reinforces local distinctiveness. SWDP 21 is supported by the South Worcestershire Design Guide Supplementary Planning Document which was adopted in 2018.</p>
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	<p>The principle of ABY9 appears to have regard to the Framework and to be in general conformity with SWDP 21.</p> <p>In relation to design principle 2, paragraph 150b of the Framework says any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards. Therefore carbon neutral development can be encouraged (which Policy ABY9 does) but not required. New development is already required to comply with Building Regulations.</p> <p>Design principle 2 suggests that affordable and shared ownership homes should include the generation of renewable energy. It is suggested that this is an aspiration rather than a requirement. It should be noted that SWDP27 requires all development proposals to incorporate renewable or low carbon energy to meet at least 10% of predicted energy requirements, subject to this not making the development unviable. Whilst the principle that affordable and shared ownership homes should include renewable (or presumably low carbon energy) is supported, it is noted that the ABY9 (2) does not include a viability caveat.</p> <p>In relation to design principle 3, it is considered that not all development proposals could necessarily promote walking and cycling.</p> <p>For ease of reference and to ensure that the Abberley Design Guide is applied consistently by applicants and decision takers it is suggested that consideration could be given to incorporating the Design Guide into the Neighbourhood Plan as an Appendix.</p>
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Abberley Conservation Area

Policy ABY10: Abberley Conservation Area

Development proposals within Abberley Conservation Area or its setting should preserve or enhance its character or appearance, having regard to its significance and special interest as set out in the Appraisal and Management Strategy. Proposals will be supported provided that they:

1. serve to preserve or positively enhance the Conservation Area by virtue of their use, character and design; and
2. avoid any demolition of a building or structure if its loss would be harmful to the character of the Conservation Area; and
3. respect the prevailing density of buildings and their plan form, recognising the variations that occur in these factors within the Conservation Area; and
4. reflect the size, height, scale, form, proportions and detailing of the existing and surrounding built form; and
5. use local materials and vernacular techniques wherever possible; and
6. ensure that any extensions and service buildings are subsidiary to the main property, are not unduly prominent in the street scene, and use sympathetic materials to the main property; and

Policy ABY10: Abberley Conservation Area

Policy ABY10 supports development proposals within Abberley Conservation Area or its setting, subject to meeting the following 9 criteria:

1. Preserves or enhances the Conservation Area by virtue of the proposals use, character and design; and
2. Demolition of any building or structure to be avoided if its loss would be harmful to the character of the Conservation Area; and
3. Prevailing density of buildings and their plan form to be respected; and
4. Size, height, scale, form, proportions and detailing of the existing and surrounding built form to be reflected; and
5. Local materials and vernacular techniques to be used wherever possible; and
6. Extensions and service buildings to be subsidiary to the main property, not unduly prominent in the street scene, and use sympathetic materials to the main property; and
7. Important views, open spaces, boundary features, trees and hedgerows identified in the Appraisal and Management Strategy to be retained; and

<ul style="list-style-type: none"> 7. retain the important views, open spaces, boundary features, trees and hedgerows identified in the Appraisal and Management Strategy; and 8. specify local materials or native species for any new boundary treatments such as walls, railings, fencing or hedging; and 9. preserve the open countryside setting of the Conservation Area. 	<ul style="list-style-type: none"> 8. Local materials or native species to be specified for any new boundary treatments such as walls, railings, fencing or hedging; and 9. Open countryside setting of the Conservation Area to be preserved. <p>Paragraph 184 of the Framework says that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 200 of the Framework says that local planning authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.</p> <p>Paragraph 201 of the Framework says that not all elements of a Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole. Policy ABY12 appears to have regard to the Framework.</p> <p>Paragraph 7.19 identifies 2 potential non-designated heritage assets within the Conservation Area and 7.20 identifies 6 potential non-designated heritage assets outside the Conservation Area. It is considered appropriate for the Parish Council to nominate non-</p>
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	<p>designated heritage assets for consideration in the MHDC Local List SPD through the neighbourhood plan process. Paragraph 7.20 says that the Parish Council will seek the inclusion of these non-designated buildings and structures in the District Council's Local List as a Community Action. Ideally, it is suggested that it would be more helpful to list the proposed non-designated assets in Table 2 (Community Actions) rather than paragraphs 7.19 and 7.20 because listing them in ABY10 potentially suggests a status that they do not currently have. Also, it is slightly misleading listing the 6 assets outside of the Conservation Area in Policy ABY10 which relates specifically to the Conservation Area.</p>
<p>8. Economy</p>	
<p>Employment and farm diversification</p>	
<p>Policy ABY11: Employment and farm diversification</p> <p>Development proposals for employment uses and farm diversification in accord with SWDP 12 or its successor will be supported provided that:</p> <ol style="list-style-type: none"> 1. they are of a scale, type and nature appropriate to their location and setting; and 2. the impacts on highway safety and capacity are or can be made acceptable, with adequate parking provided for staff, delivery vehicles and visitors; and 	<p>Policy ABY11: Employment and farm diversification</p> <p>Policy ABY11 supports development proposals for employment uses and farm diversification that accord with SWDP 12 (Employment in Rural Areas) or its successor and meet the following 3 criteria:</p> <ol style="list-style-type: none"> 1. Scale, type and nature of proposal is appropriate to the location and setting; and 2. Impact on highway safety and capacity is (or can be made) acceptable. Adequate parking is provided for staff, delivery vehicles and visitors; and

<p>3. there are no undue impacts on residential or visual amenity, or on the built and natural environments.</p>	<p>3. No undue impacts on residential or visual amenity, or on the built and natural environments.</p> <p>Paragraph 83 of the Framework says planning policies should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and b) the development and diversification of agricultural and other land-based rural businesses.</p> <p>Policy ABY11 largely echoes, and is therefore considered to be in general conformity with, SWDP 12.</p>
<p>Local retail and other services</p>	
<p>Policy ABY12: Local retail and other services</p> <p>Proposals for the expansion of existing local retail and other services within the Neighbourhood Area or for new such provision will be supported provided that they:</p> <ol style="list-style-type: none"> 1. are of a scale appropriate to the location; and 2. make full use of opportunities to provide access by sustainable modes of travel; and 3. avoid undue impact on residential or other local amenity; and 4. provide sufficient parking to accommodate the vehicles of all users and staff. 	<p>Policy ABY12: Local retail and service facilities</p> <p>Policy ABY12 supports development proposals for the expansion existing or provision of new local retail or other local services, subject to meeting the following 4 criteria:</p> <ol style="list-style-type: none"> 1. Scale is proportionate to the location; 2. Makes full use of opportunities to provide access by sustainable modes of travel; 3. Avoids undue impact on residential or other local amenity; and 4. Provides sufficient vehicle parking for users and staff. <p>Wherever possible, use should be made of sites which are physically well-related to Abberley Common, and of existing buildings in preference to new development.</p> <p>Paragraph 83 of the Framework says that planning policies should enable the retention and development of accessible local services</p>

<p>Wherever possible, use should be made of sites which are physically well-related to Abberley Common, and of existing buildings in preference to new development.</p>	<p>and community facilities, such as local shops ... Paragraph 84 says that planning policies should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.</p> <p>SWDP 10C says planning permission for retail and leisure development outside the centres listed in Table 5 below will not be granted unless the applicant has demonstrated that:</p> <ul style="list-style-type: none">i. The sequential test set out in paragraph 24 of the Framework, or any subsequent amended test in national planning policy for the consideration of retail and leisure development, has been satisfied.ii. The scale of development is appropriate to the location.iii. The development would have no significant adverse impact on the vitality and viability of a centre.iv. Access by all travel modes and particularly bus, cycle and walking is convenient and safe, taking into account any improvements provided by the development. <p>SWDP 10J says planning permission for new village and neighbourhood shops will be granted provided they are of an appropriate scale and it can be demonstrated that they will not have a significant adverse impact on the vitality or viability of any local centre.</p>
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	It is considered that much of ABY12 has regard to the Framework and is in general conformity with SWDP10.
9. Delivering The Neighbourhood Development Plan	
	Planning Practice Guidance says that “wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non land use matters should be clearly identifiable. For example, set out in a companion document or annex.” It is considered that the proposed Community Actions on pages 42 -44 are clearly identifiable and separate from the proposed land-use policies.
Appendix A: Evidence Base	
Appendix A: Local Green Spaces	