

Leigh and Bransford Neighbourhood Development Plan

Regulation 16 Consultation

Malvern Hills District Council Officer Comments

May 2022

General Comments

As a context for our comments, the National Planning Policy Framework 2021 (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 Leigh and Bransford 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 Leigh Sinton on land off the A4103 (site reference CFS0009) for 52 dwellings. The proposed site allocation also includes provision of a sports facility.

Whilst paragraph 70 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 Leigh and Bransford Parish Council, the South Worcestershire Councils provided indicative housing requirement figures for the Leigh and Bransford neighbourhood area in April 2020. 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 32 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.

We consider that the proposed housing allocation in the Neighbourhood Plan on land off the A4103 in Leigh Sinton (Policy LB/H5) for 52 dwellings would meet the indicative housing requirement for the Neighbourhood Area in full.

PPG on Neighbourhood Planning includes the following guidance on what evidence is needed to support a Neighbourhood Plan and how Neighbourhood Plan policies should be drafted:

“Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft Neighbourhood Plan”.

“A policy in a Neighbourhood Plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared”.

We consider that some policies are currently not drafted with sufficient clarity that a decision maker could apply them consistently and with confidence when determining planning applications. It is considered that some policies may also need amending slightly if they are to have regard to national policies or be in general conformity with strategic policies in the SWDP.

We consider that a number of policies lack proportionate, robust evidence to support the choices made and the approaches taken. In some cases, the supporting text does not appear to be directly relevant to the specific requirements of the proposed policy. In other cases, it appears that relevant and robust evidence may exist, but has not been drawn upon to explain the rationale for a policy. For example, the supporting text for Policy LB/E/9 (Biodiversity Net Gain) refers to an “Ecological Search for Leigh & Bransford Neighbourhood Area”, the findings of which may have been helpful for identifying biodiversity sites to be protected or enhanced under Policy LB/E/8 (Biodiversity).

With a view to ensuring that the Neighbourhood Plan policies have regard to national policy, are written with sufficient clarity that they can be applied consistently and with confidence by decision makers and reflect the evidence provided we have suggested alternative wording for some policies.

Whilst not necessary to meet the basic conditions, it is noted that some paragraphs in the Reasoned Justifications are not numbered. Consistent numbering of paragraphs is suggested.

Contents

Page 6 – It is suggested that Map 1 be amended to “Designated Neighbourhood Area for Leigh and Bransford **NP**”

Executive Summary

1. Introduction

Paragraph 1.5 – It is suggested that the 2nd word “report” be replaced by “document”.

Paragraph 1.6 – For accuracy and clarity, it is suggested that the first sentence could be amended to read “Planning applications will be determined by Malvern Hills District Council in accordance with the development plan (including the made LBNP), unless material considerations indicate otherwise.”

Paragraph 1.7 – The word “emerging” should be deleted from the made version of the LBNP.

2. Neighbourhood Plans

Paragraph 2.2 – For accuracy, it is suggested that in the first sentence the word “as” is replaced by “it will form” and that the words “it will form” are replaced by “which provides”.

Paragraph 2.5, bullet point 8 – For accuracy, the District Council prepared (past tense) an SEA / HRA Screening Opinion which was submitted at the Regulation 15 stage.

Paragraph 2.5, bullet point 9 – For accuracy, the word “submitted” in the 2nd sentence should be replaced by “draft” and the word “minimum” should be deleted.

The next steps, bullet point 4 – It is suggested that “... Inspector’s comments and requirements” be replaced with “Examiner’s recommendations”.

3. General Background To Parish

4. Visions and Objectives

Paragraph 4.1 - 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.” The list of Parish Council actions are a non-land use matter but are clearly identifiable as such and appropriately set out in an Appendix.

5. Policies and Justifications

5.1. Housing

Policy LB/H/1 - Housing: New Residential Development within the Leigh Sinton and Bransford Development Boundaries

New housing within the Leigh Sinton and Bransford Development Boundaries (as shown on Maps 2a and 2b) will be supported if it meets all the following criteria:

- a. It does not lead to the loss of community or recreation facilities, or local employment opportunities

Policy LB/H/1 has 2 parts.

Part 1 of Policy LB/H/1 (criteria c and d) proposes revised Development Boundaries for Leigh Sinton and Bransford (shown on Maps 2a and 2b respectively).

Part 2 of Policy LB/H/1 (criteria a and b) supports new residential development within the revised Leigh Sinton and Bransford development boundaries, subject to meeting 2 criteria:

<ul style="list-style-type: none"> b. It accords with other relevant policies of the Leigh and Bransford Neighbourhood Plan and the South Worcestershire Development Plan. c. Extensions to the Leigh Sinton Development Boundary are proposed and indicated on Map 2a. d. A new Development Boundary is proposed for Bransford and is indicated on Map 2b. 	<ul style="list-style-type: none"> • Accordance with other relevant policies in the SWDP and NDP, and • Not lead to the loss of community or recreation facilities, or local employment opportunities. <p>In relation to Part 1 of Policy LB/H/1, the adopted SWDP identifies a development boundary for Leigh Sinton, but not for Bransford. The emerging SWDPR proposes revised development boundaries for both Leigh Sinton and Bransford.</p> <p>The Leigh & Bransford NDP seeks to update the existing development boundaries to include existing development or extant planning permissions co-terminous with the existing / proposed development boundaries. It is considered that the proposed update to the development boundaries applies the principles in the adopted SWDP and emerging SWDPR. The proposed development boundaries for Leigh Sinton and Bransford are helpfully shown on Maps 2a and 2b. Subject to the outcome of the NDP examination, it is considered that Map 2 [current development boundary (not “Area”)] will be replaced and can be deleted from the NDP.</p> <p>Development boundaries are a policy tool, not a policy. Whilst it is considered appropriate for the NDP to revise the development boundaries, criteria c and d are not a condition for supporting proposals for residential development. It is therefore suggested that the Reasoned Justification (paragraph 5.1.1) explain the proposed changes to the development boundary, but that criteria c and d are deleted from Policy LB/H/1</p>
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	<p>It is noted that the proposed site allocation in Policy LB/H/6 would be co-terminous to the Leigh Sinton development boundary, but the proposed site allocation has yet to be tested at examination for either the NDP or SWDPR. In light of this, it is considered appropriate for the site to be not included in the revised development boundary at this stage.</p> <p>Whilst Map 2a does not include the proposed site allocation in Policy LB/H/6, paragraph 5.1.1 sentence 4 indicates that it is within the development boundary. It is suggested that sentence 4 is deleted. To address the eventuality of site LB/H/6 being allocated in the NDP, it is suggested that the following sentence be added to paragraph 5.1.1 – <i>“The boundary of sites allocated for development outside and adjoining an existing development boundary will form the basis of an extension to the development boundary as set out in Maps 2a and 2b.”</i></p> <p>In relation to Part 2 of Policy LB/H/1, if a development proposal is in accordance with other relevant policies in the SWDP and NDP, it is not clear why additionally it must not lead to the loss of community / recreation facilities or local employment opportunities.</p> <p>In general, it is considered that Policy LB/H/1 would provide flexibility and support development within the development boundaries and, with the suggested amendments above, would be in general conformity with the strategic policy SWDP 2 (Development Strategy and Settlement Hierarchy). SWDP 2 focuses most development on the urban areas where both housing needs and accessibility to lower-cost public services are greatest. SWDP 2B says windfall development proposals will be assessed in accordance with the</p>
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	<p>settlement hierarchy. Both Leigh Sinton and Bransford are identified as Category 3 settlements in the hierarchy. In relation to Category 3 villages SWDP 2B says infill development within the defined development boundaries is acceptable in principle subject to the more detailed Plan policies.</p>
<p>Policy LB/H/2 - Housing: Development in Open Countryside</p> <p>New housing development in open countryside, outside the Development Boundary (as shown on Maps 2a and 2b) will be supported if it meets one or more of the following criteria:</p> <ol style="list-style-type: none"> a. There is an essential need for a rural worker to live permanently at or near their place of work in the countryside. b. It represents the optimum viable use of a heritage asset or would be an appropriate enabling development to secure the future of heritage assets c. It is truly outstanding, reflecting the highest standards in architecture, and would help raise the standards of design more generally in rural areas, and would significantly enhance its immediate setting. d. Affordable housing on an exception site is required to meet an identified local need. e. It is a replacement of an existing dwelling with established use rights and where the replacement dwelling is not disproportionately larger than the existing dwelling and will not exceed the existing gross internal floorspace by more than 30%. f. In addition proposals must accord with other relevant policies of the Leigh and Bransford Neighbourhood Plan and the South Worcestershire Development Plan. 	<p>Policy LB/H/2 seeks to strictly control new development in the open countryside. The policy provides some flexibility for new development e.g. rural workers housing, rural exception sites and replacement dwellings.</p> <p>Paragraph 80 of the Framework says <i>“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:</i></p> <ol style="list-style-type: none"> <i>a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;</i> <i>b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;</i> <i>c) the development would re-use redundant or disused buildings and enhance its immediate setting;</i> <i>d) the development would involve the subdivision of an existing residential building; or</i> <i>e) the design is of exceptional quality, in that it:</i>

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.”

To have regard to paragraph 80 of the Framework it is considered that criterion e be replaced with *“It would re-use redundant or disused buildings, enhance its immediate setting and accord with Policy LB/H/4.”*

It is considered that Policy LB/H/2 is in general conformity with strategic policies in the SWDP, and in particular SWDP 2, SWDP 16, SWDP 18 and SWDP 19.

However, it is considered that the Reasoned Justification in paragraphs 5.1.3 and 5.1.4 is, in places confused and slightly misleading:

- Paragraph 5.1.3 says that SWDP 2 is based on a range of local services and facilities. This is not wholly accurate. SWDP 2 is based on 6 principles (which are outlined in SWDP 2A).
- Paragraphs 5.1.3 and 5.1.4 include a number of extracts from the adopted SWDP 2 (February 2016) and the SWDPR Preferred Options consultation document (November 2019). The status of these documents is different and for clarity it is strongly suggested that quotes / extracts from the adopted SWDP and emerging SWDPR are separated.

	<p>Paragraph 5.1.6 relates to existing or expanding businesses and does not explain the choices made or approach taken in Policy LB/H/2 (which relates to housing). It is suggested that the paragraph be deleted.</p>
<p>Policy LB/H/3 - Extensions and Subdivisions of Existing Dwellings</p> <p>a. Extensions to existing dwellings will be supported providing that they are subordinate to, and do not dominate the character and appearance of the original, or adjacent, dwellings. Extensions should respect the character and significance of the original building.</p> <p>b. The subdivision of an existing residential dwelling will be supported providing that the development does not have an adversely harmful impact on the area’s visual amenity and landscape character. (See also Policy LB/D/2 Parking)</p>	<p>Policy LB/H/3a supports extensions to existing dwellings within and beyond the development boundary, subject to the extensions:</p> <ul style="list-style-type: none"> • Being subordinate, and not dominating the character and appearance of the original, or adjacent, dwellings. • Respecting the character and significance of the original building. <p>Policy LB/H/3b supports the subdivision of existing dwellings within and beyond the development boundary, subject to the subdivision:</p> <ul style="list-style-type: none"> • Not having an adversely harmful impact on the area’s visual amenity. • Not having an adversely harmful impact on the areas landscape character. • Being in accordance with Policy LB/D/2 (Parking) <p>It is considered that the principle of part (b) has regard to paragraph 80 of the Framework (which applies specifically to the open countryside). However, it is suggested that “adversely harmful” be replaced with “significant harmful”. It is not clear why the subdivision of an existing dwelling would have an impact on the area’s landscape character. It is therefore suggested that the criterion be deleted. Also, rather than reference to Policy LB/D/2 Parking, it is suggested that a</p>

	<p>critereon be added to say that development should not result in additional on-road parking.</p>
<p>Policy LB/H/4 - Conversion and Re-use of Redundant or Disused Buildings</p> <p>The conversion and re-use of redundant or disused buildings for dwellings will be supported providing:</p> <ul style="list-style-type: none"> a) there is an enhancement to the building’s immediate setting and there is no need for substantial reconstruction and large extensions b) the character and significance of the original building is respected c) there is adequate access d) there is adequate access to utilities, including broadband 	<p>Policy LB/H/4 supports the re-use of Redundant or disused buildings subject to 5 criteria being met:</p> <ul style="list-style-type: none"> a) Enhancement to the building’s immediate setting b) No need for substantial reconstruction and large extensions c) Character and significance of the original building being respected d) Adequate access e) Access to utilities, including broadband <p>Paragraph 80 of the Framework supports the re-use of redundant or disused buildings for dwellings in rural areas if it enhances their immediate setting.</p> <p>Paragraph 84a of the Framework also supports the conversion of existing buildings in rural areas to support the rural economy.</p> <p>The emerging SWDPR 23 also supports the reuse or conversion of redundant or disused rural buildings for housing, employment, tourism, recreation and community uses, subject to a number of criteria being met.</p> <p>Paragraph 5.1.8 refers to paragraph 85 of the Framework (meeting local business needs in rural areas). It is considered that reference to paragraph 84a would also be appropriate.</p>

<p>Policy LB/H/5 - Significant Gap</p> <p>The open character of the Significant Gap within the Neighbourhood Area will be retained in order to maintain the separation between Leigh Sinton and Malvern that protects their individual identities. The Gap protects the existing character of the area, including the views from and to the Malvern Hills (AONB). The Significant Gap is shown on Map 3.</p> <p>Acceptable developments may include:</p> <ul style="list-style-type: none"> • The re-use of rural buildings; • Agricultural and forestry-related development; • Playing fields • Other open land uses that maintain the openness of the gap; and • Minor extensions to existing dwellings. 	<p>Policy LB/H/5 seeks to maintain the Significant Gap between Leigh Sinton and Malvern.</p> <p>Policy LB/H/5 sets out what types of development would be acceptable in the Significant Gap (based on paragraph 8 of the Reasoned Justification for SWDP 2D).</p> <p>It is considered that Policy LB/H/4 is in general conformity with SWDP 2(D) which seeks to ensure the retention of the open character of the Significant Gap.</p> <p>Only part of the Significant Gap is within the Neighbourhood Area. This is recognised in Policy LB/H/5, which refers to “The open character of the Significant Gap within the Neighbourhood Area ...” and is clearly shown on Map 3.</p> <p>Paragraph 5.1.10 – It is suggested that reference to a Cala Homes consultation be deleted because the public’s reaction to a specific development proposal is not considered to be proportionate and robust evidence justifying retention of the Significant Gap. It would be helpful if a date was provided for the “current consultation” which is referred to in paragraph 5.1.10 and it was indicated who had undertaken the consultation. References to a Review of the Significant Gaps in the SWDPR should be dated and a link provided to the source of the evidence.</p>
<p>Policy LB/H/6 – Site Allocation</p> <p>a. This Neighbourhood Plan proposes the following site allocation for development to meet the indicative housing requirement to 2041. The site is indicated on Map 4.</p>	<p>Policy Policy LB/H/6 proposes to allocate 8.6 hectares of land off the A4103, Leigh Sinton, for approximately 52 dwellings and sports & recreation use, subject to:</p>

<ul style="list-style-type: none"> • Site CFS0009, Land off the A4103, Leigh Sinton • Site area: 3.3 Ha for residential use for approximately 52 dwellings • Approximately 5.5 Ha potentially for sports and recreation use. • ? <p>b. In addition to SWDP requirements for Affordable Housing the housing mix shall be informed by available Housing Needs Surveys and community consultation.</p> <p>c. The development must be designed to ensure that it connects safely to local amenities, and the existing footway, cycleway, and footpath network.</p> <p>d. c. The development shall be in accordance with other relevant policies of the Leigh and Bransford Neighbourhood Plan and the South Worcestershire Development Plan.</p>	<ul style="list-style-type: none"> a. 3.3 hectares for residential use (approx. 52 dwellings) + approximately 5.5 hectares for sports and recreation use. b. Affordable housing in accordance with SWDP requirements + housing mix to be informed by Housing Needs Survey and community consultation. c. Safe connections to local amenities and existing footpaths and cycleway. d. Accordance with other relevant policies in the NDP and SWDP. <p>It is considered that the principle of the proposed site allocation and a requirement for a mix of housing is acceptable, but the policy wording lacks sufficient clarity that it could be applied consistently and with confidence by decision makers. It is considered that the policy does not provide a link to the Concept Plan, lacks clarity about the required housing mix and lacks clarity about the amenities and footpaths / cycleways that the development should connect to.</p> <p>Based on the information provided in the Reasoned Justification, it is suggested that policy wording along the following lines would provide greater clarity:</p> <p><i>Proposals for the development of land of land off the A4103 at Leigh Sinton (shown on Map 4) will be supported, subject to meeting the following requirements:</i></p> <ul style="list-style-type: none"> <i>a. An indicative figure of 52 dwellings are provided; and</i>
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- b. Approximately 5.5 sports and recreation land is provided; and*
- c. The scheme is designed in accordance with the Indicative Layout (Map 4a) and incorporates the existing Public Right of Way; and*
- d. 40% of the dwellings are provided as affordable housing available in perpetuity for those in local housing need unless it can be satisfactorily and independently demonstrated that the affordable housing provision sought would not be viable in which case the maximum proportion of affordable housing (either on or off-site) will be sought that does not undermine the development's viability; and*
- e. The housing mix should take account of the requirements of the most up to-date local Housing Needs Assessment; and*
- f. Vehicular access is taken from the A4103; and*
- g. Connection to local amenities and the existing footway, cycleway and footpath network in accordance with Policy LB/1/7; and*
- h. 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.*
- i. Provision is made for a green buffer around the south and south-eastern boundary to mitigate any impact on nearby heritage assets.*

j. Evaluation of known surface and surface archaeology in accordance with Policy LB/E/5.

In relation to the Reasoned Justification (paragraphs 5.1.11 – 5.1.23), it is considered that some of the text is not relevant, and some is inaccurate. Comments on the Reasoned Justification include:

- Paragraph 5.1.11 – 5.1.12 – It is considered that these paragraphs do not explain the intention and rationale of the proposed site allocation. Further, Housing Needs Surveys undertaken in 2009 and 2011 are historical and no longer relevant in light of the 2021 Housing Needs Survey.
- Paragraph 5.1.13 – For accuracy, replace “... SWDP Review carried out in 2018/19 ...” with “current SWDP Review ...” For accuracy, delete “ ... with a small addition to the original 2030 target.” It is suggested that reference to paragraph 66 of the Framework is related to paragraph 5.1.14 and should either be a new paragraph or be included in paragraph 5.1.14.
- Paragraph 5.1.14 – It is considered that the 6th sentence relating to community aspirations to “avoid urbanisation and commuterisation” do not explain the intention and rationale of the proposed site allocation and should be deleted. For accuracy, it is suggested that the 7th sentence is preceded by “Some sections of the community considered that” because to benefit from the protection conferred by paragraph 14 of the Framework the housing requirement could not be met solely by windfall development.

	<ul style="list-style-type: none">• Paragraph 5.1.17 – It is inaccurate to say that “one reason for SWC’s Choice of preferred site was that it provided a large area of community sports facility.” The SWC’s considered that a smaller cut of site CFS0009 met the SHELAA site selection criteria for housing and that the site could also meet the shortfall in playing pitches identified in the Playing Pitch and Outdoor Sports Strategy. Reference to the 2021 Housing Needs Survey is not considered to be relevant to the proposed sports and community facilities – the purpose of the survey was to identify housing needs, not sports and recreation needs. It is considered that the final sentence, which says that the Housing Needs Survey and further consultation will assist the decision making for new amenities is both inaccurate and misleading and should be deleted.• Paragraph 5.1.18 – The purpose of 5.1.18 seems to be to justify the policy requirement that development proposals for the site allocation take account the requirements of the most up-to-date Housing Needs Survey. It would therefore have been helpful if paragraph 5.1.18 had drawn out the key findings of the 2021 Housing Needs Survey, such as 60% of unmet housing need identified was for open market housing, and that there is a particular need for smaller family housing of 3 bedrooms or less and bungalows. It is considered that references to population change and extracts from SWDP 14 cloud the issue rather than provide clarity for decision makers.• Paragraph 5.1.19 - The purpose 5.1.19 could be simplified to say that development proposals for the site allocation should
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	<p>provide affordable housing in accordance with SWDP 15. It would be helpful if the Reasoned Justification explained that if the 40% proportion of affordable housing would not be viable (as demonstrated by an independent viability assessment), the maximum proportion of affordable housing will be sought that does not undermine the development's viability.</p> <ul style="list-style-type: none">• Paragraph 5.1.20 – The purpose of this paragraph is unclear in relation to the proposed site allocation. The MHDC Rural Lettings Policy is about the management of lettings and would not inform decision makers with an indication of how they should react to a development proposal for the site allocation.• Paragraph 5.1.21 – It is suggested that text after the 3rd sentence is deleted. Reference to the site being larger than some in the community would like does not support the site allocation and the requirement for affordable housing is already addressed in paragraph 5.1.19. The need for a housing mix is already addressed in paragraph 5.1.18, and reference to the housing mix being subject to community consultation is misleading and factually incorrect.• Paragraph 5.1.22 – It is suggested that this paragraph is amended. The purpose of this paragraph is to indicate that there are 4 Listed Buildings in close proximity to the proposed site allocation. The extracts from the SEA / HRA Screening Opinion relate specifically to whether a Strategic Environmental Assessment is required for the Neighbourhood Plan, not whether the proposed site allocation would have a detrimental impact on the Listed Buildings. It is suggested
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	<p>that paragraph 5.1.22 should be amended to say that the proposed Indicative Layout seeks to mitigate the impact of the proposed allocation on Listed Buildings in close proximity to the site by proposing a green buffer around the south and south-eastern boundary of the site. It is suggested that this requirement is picked up in Policy LB/H/6.</p> <ul style="list-style-type: none">• Paragraph 5.1.23 – The purpose of this paragraph is simply to say that the proposed site allocation would not compromise any ecological sites of international or national importance. It is considered that the extract from the HRA Screening Opinion is not directly relevant because it relates to the Neighbourhood Plan generally and not specifically to the proposed site allocation.• Appendix J – says “there are local reports there are local reports that in times of sustained rain, or intense rain, the adjacent section of the A4103 has been flooded to the extent it was only passable with care. Parts of the site remain waterlogged after heavy rain.” This is not supported by evidence available to the South Worcestershire Councils. The proposed site allocation is not in Flood Zones 2 or 3 and does not appear to have been subject to historic flooding. Environment Agency data suggests that very small pockets of land (possibly 1% or 2 % of the site) in the north-west and south-west corners of the site are subject to 1-in-100 year surface water flooding. These pockets of possible surface water flooding appear to have been taken into account in the landscape buffering within the Indicative Layout. Nevertheless, it is suggested that this is picked up in Policy
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LB/H/6 with a a requirement for a sustainable urban drainage strategy to address surface water and foul drainage.

5.2. Design

Policy LB/D/1 – Maintaining Local Character

- a. Developments will be supported where the general scale, mass, height, and layout of the site, building, or extension responds to and integrates with local surroundings. Materials must be chosen to complement the development and add character to the surrounding environment. Proposals for new developments must provide evidence to show how they will enhance and retain the local distinctiveness of an area and to show how the existing conditions and the locally distinctive character of the area have been assessed and translated into proposals.
- b. Innovative designs, including visual impact and approach to energy efficiency and sustainability, will be supported where they make a positive contribution to the character of the area and contribute to local distinctiveness.

Policy LB/D/1 has 3 parts.

Part (a) of Policy LB/D/1 says developments will be supported where the general scale, mass, height, and layout of the site, building, or extension responds to and integrates with local surroundings. Materials must be chosen to complement the development and add character to the surrounding environment.

The second part of Part (a) requires applicants to provide evidence to:

- Demonstrate that the development proposal will enhance and retain local distinctiveness, and
- Show how the existing conditions and the locally distinctive character of the area have been assessed and translated into proposals.

Part (b) supports innovative designs (including visual impact and approach to energy efficiency and sustainability) 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 126 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.

	<p>Paragraph 127 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 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 128 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.</p> <p>Paragraph 129 of the Framework says design guides and codes can be prepared at an area-wide, neighbourhood or site- specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. All guides and codes should take into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.</p>
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	<p>Paragraph 134b 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>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> <p>The principle of Policy LB/D/1a appears to have regard to the Framework and to be in general conformity with SWDP 21. However, it is considered that the generic nature of Policy LB/D/1 and the lack of information on the defining characteristics in Leigh & Bransford may make it difficult for decision makers to ensure that the special qualities of the Neighbourhood Area are reflected in development.</p> <p>It is however, considered that the evidence an applicant is required to provide in the second part of Part (a) may not be fairly and reasonably related to the first part of the Policy. It is suggested the second part of Part (a) could be amended along the following lines – <i>“A Design and Access Statement or similar should be provided to show how the design principles in Policy LB/D/1 have been addressed and positively influenced the proposed design solution.”</i></p> <p>It is considered that part (b) of Policy LB/D/1 has regard to paragraph 134b of the Framework.</p>
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	<p>In relation to the Reasoned Justification, sentences 5 and 6 of paragraph 5.2.2 introduce the principle of providing sufficient private garden amenity space. This does not appear to be addressed in Policy LB/D/1 and it is suggested that these sentences could be deleted.</p>
<p>Policy LB/D/2 - Parking</p> <p>All residential developments will provide adequate in-curtilage parking spaces. Parking provision must comply with Worcestershire County Council’s Streetscape Design Guide(9) In addition:</p> <ul style="list-style-type: none"> a) For residential developments greater than five dwellings visitor parking should be provided at one space for every five bedrooms. b) The division of dwellings for use as Houses of Multiple Occupancy shall not result in additional on-street parking. With the exception of care homes a sheltered, secure, easily accessible cycle store should be provided for each unit. c) Where extensions to existing dwellings result in additional bedrooms the property must comply with the Streetscape Design Guide for parking. d) All new employment sites should include provision for sheltered, secure cycle parking 	<p>Policy LB/D/2 proposes that car parking provision in residential developments be in accordance with Worcestershire County Council’s Streetscape Design Guide.</p> <p>Additionally:</p> <ul style="list-style-type: none"> a) Developments of 6 or more dwellings to provide one space for every 5 bedrooms for visitors. b) Dwellings divided into HMO’s should not result in additional on-street parking. Also, a cycle store to be provided for each unit (unless the HMO is a care home). c) Extensions to existing dwellings resulting in additional bedrooms to comply with the Streetscape Design Guide. d) New employment sites to provide cycle stores. <p>Paragraph 107 of the Framework says that if setting local parking standards for residential and non-residential development, policies should take into account:</p> <ul style="list-style-type: none"> a) the accessibility of the development; b) the type, mix and use of development;

- c) the availability of and opportunities for public transport;
- d) local car ownership levels; and
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

The need for adequate in-curtilage parking spaces and frustration with on-street parking is understood. However, the Reasoned Justification indicates that the problem has probably been caused by older developments that were not designed with modern car ownership levels in mind. There does not appear to be any evidence that provisions of the County Council's Streetscape Design Guide would be inadequate for new development in Leigh and Bransford.

Worcestershire County Council's Streetscape Design Guide says visitors are permitted to be counted within the street due to their short term duration and infrequent occurrence. Where existing on street demand or parking restriction prevents this or for communal parking areas off road provision should be made at a ratio of 1 space per 5 bedrooms.

In relation to HMO's, the Streetscape Design Guide sets out minimum in-curtilage parking provision requirements for properties with 4 or more bedrooms. It also says that cycle storage at a ratio of 1 space per bedroom should be provided and these should be sheltered, secure and easily accessible.

In relation to employment sites, the Streetscape Design Guide says that the applicant should provide a minimum parking provision for

	<p>each development along with an evidence base to demonstrate the appropriateness of the provision.</p> <p>In light of the above, it is suggested that Policy LB/D/2 be amended along the following lines – <i>“Development proposals should provide car parking provision and cycle storage in accordance with Worcestershire County Council’s Streetscape Design Guide⁽⁹⁾”</i></p>
<p>Policy LB/D/3 - Construction Waste and Recycling</p> <p>Evidence should be provided to show that consideration has been given to the reuse of waste arising from the construction process.</p>	<p>Policy LB/D/3 proposes that all development proposals provide evidence that consideration has been given to re-using waste arising from construction.</p> <p>Waste produced as a result of development includes demolition (brick, concrete, hardcore) and excavation (subsoil and topsoil).</p> <p>The waste hierarchy gives top priority to preventing waste in the first place. Where waste is generated, priority is to reuse, then recycle, then other forms of recovery such as energy recovery and last of all disposal (for example landfill).</p> <p>Paragraph 6.48 of the Waste Core Strategy (November 2012) says <i>“Site Waste Management Plans are currently a legal requirement for all construction projects with an estimated construction cost of over £300,000. Information relating to smaller proposals is expected to be commensurate to the scale of the development and should consider what types of waste will be produced and how this will be minimised, re-used or recycled.”</i></p> <p>Paragraph 4.46 of the Waste Core Strategy says <i>“Excavation activities, a normal part of the construction process, can result in considerable arisings of subsoils. In some cases, this type of waste</i></p>

	<p><i>can usefully be re-used for purposes such as flood management schemes, landscaping, levelling of sites, the construction of bunds, embankments or features for noise attenuation. However, to prevent inappropriate development, these kinds of proposals will be considered against Policy WCS 5: Landfill and disposal. The decision on whether proposals are a form of disposal will be guided by the Environment Agency's advice."</i></p> <p>It is considered that the principle of Policy LB/D/3 promotes good practice. However, it is not clear whether the policy could be applied consistently and with confidence by decision makers. In particular, it is not clear how decision makers would use the information to determine whether a development proposal was acceptable in planning terms.</p> <p>In light of the above, it is suggested that Policy LB/D/3 be re-worded along the lines of <i>"The re-use of waste arising from construction on-site is encouraged in accordance with relevant policies in the Worcestershire Waste Core Strategy"</i> or that the policy be deleted.</p>
<p>Policy LB/D/4 - Household Waste and Recycling</p> <p>In addition to the requirements of the Waste Core Strategy integrated or well screened bin storage or recycling facilities should be provided in residential development to minimise visual impact.</p>	<p>Policy LB/D/4 proposes that all residential development should include well screened bin storage or recycling facilities.</p> <p><i>It is considered that the principle of Policy LB/D/4 is in general conformity with SWDP 33 (Waste) which says "Proposals for new development should incorporate adequate facilities into the design to allow occupiers to separate and store waste for recycling and recovery unless existing provision is adequate."</i></p>

	<p>It is noted that Policy LB/D/4 places greater focus on the visual appearance of the facilities than SWDP 33. Also, unlike SWDP 33, Policy LB/D/4 would only apply to residential development.</p>
<p>Policy LB/D/5 - Dark Skies</p> <p>Where external lighting is proposed in a development it must be demonstrated that it is essential for the maintenance of health and safety by road users and building occupiers. Where external lighting is essential for security or safety it should avoid undue adverse impacts on amenity, wildlife and dark skies.</p>	<p>Policy LB/D/5 requires proposals for external lighting to demonstrate that it is essential for the maintenance of health and safety by road users and building occupiers.</p> <p>Also, where external lighting is essential for security or safety it should avoid undue adverse impacts on amenity, wildlife and dark skies.</p> <p>Paragraph 185c of the Framework says that planning policies should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. NPPG on Light Pollution sets out the consideration when assessing development proposals including the impact of lighting and light spillage and its ecological impact.</p> <p>However, paragraph 56 of the Framework also says that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.</p> <p>It is considered that the first sentence of Policy LB/D/5 has regard to the Framework. However, whilst the first sentence relates to health and safety of road users and building occupiers, the second sentence introduces “security” lighting which is not necessarily related to health or safety. It is considered that it would be appropriate to replace the second sentence of Policy LB/D/5 with</p>

	<p><i>“External lighting should avoid undue adverse impacts on amenity, wildlife and dark skies.”</i></p>
<h3>5.3 Heritage, Landscape and Biodiversity</h3>	
<h4>Landscape</h4>	
<p>Policy LB/E/1 – Landscape Character</p> <p>Development proposals must demonstrate each of the following:</p> <ol style="list-style-type: none"> a. The characteristics and guidelines for the Landscape Type of the proposed site, as defined in the latest Landscape Character Assessment, have positively influenced the siting, design, scale, layout, landscaping and boundary treatment of the proposal. b. 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, ditches and watercourses, and by restoring, enhancing and making new provision where this is appropriate. 	<p>Policy LB/E/1 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><i>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.</i></p> <p><i>SWDP 25 Landscape Character requires development proposals to show that they have taken into account the Worcestershire Landscape Character Assessment (LCA) and its guidelines; that development is appropriate to the landscape setting; and that</i></p>

	<p>landscape characteristics and features have been conserved and enhanced.</p> <p>Policy LB/E/1 is considered to be in general conformity with SWDP 25 (Landscape Character). A similar policy was found to meet the basic conditions in the Abberley Neighbourhood Plan (July 2021).</p> <p>The Worcestershire LCA identifies two Landscape Types in the Neighbourhood Area which are helpfully shown on Map 5. The majority of the Neighbourhood Area comprises Principal Timbered Farmlands, with areas of Riverside Meadows along Leigh Brook and the River Teme.</p> <p>Whilst Policy LB/E/1 is considered to be in general conformity with SWDP 25, it is considered that the Reasoned Justification should be tightened to explain succinctly the intention and rationale of the policy. In particular, it is considered that:</p> <ul style="list-style-type: none">• Reference could helpfully be made to SWDP 25 which provides a strategic context for the policy.• The relevance of paragraph 5.3.1 to Policy LB/E/1 is unclear and could be deleted.• Sentences 1 and 2 of paragraph 5.3.4 could be replaced by “The Worcestershire Local Character Assessment (2011)⁽¹⁰⁾ identifies two Landscape Types in the Neighbourhood Area (see map 5). In the 4th sentence it is suggested that the word “report” is replaced by “Guidance”.
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	<ul style="list-style-type: none"> Paragraph 5.3.7 – The Worcestershire Green Infrastructure Framework does not appear to be relevant to Policy LB/E/1. It is therefore suggested that the paragraph is deleted.
<p>Policy LB/ E/2 - Local Green Spaces</p> <p>The following areas of land shown on Figures 1 and 2 are proposed as Local Green Space:</p> <ul style="list-style-type: none"> Land adjacent to Brockamin Lane, Bransford The orchard adjacent to Kiln Lane <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 LB/ HLB/4 proposes the designation of 2 Local Green Spaces:</p> <ol style="list-style-type: none"> Meadow land adjacent to Brockamin Lane, Bransford Orchard adjacent to Kiln Lane <p>The Framework makes provision for a Neighbourhood Plan to identify Local Green Spaces of particular importance to the local community. Paragraph 101 in the Framework says the designation of land as Local Green Space through Neighbourhood Plans allows communities to identify and protect green areas of particular importance to them.</p> <p>Paragraph 5.3.8 makes 3 references to “Green Space”. These references should be amended to “Local Green Space” to clearly distinguish them from “Green Space” as defined in the SWDP.</p> <p>Paragraph 5.3.8 makes reference to the possibility for Local Green Spaces to be in private ownership and the designation not granting public access. Factually, these statements are correct, but their relevance to the two proposed Local Green Spaces is unclear.</p> <p>Paragraph 5.3.8 – paragraph 102 of the Framework outlines 3 criteria (a, b and c) that Local Green spaces must meet. It is suggested that this could be made clearer in paragraph 5.3.8 which currently indicates 2 bullet points.</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 102 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>Paragraphs 5.3.9 and 5.3.10 explain that both proposed Local Green Spaces are in close proximity to the community they serve, are not extensive tracts of land and are demonstrably special to the local community.</p> <p>Paragraph 5.3.10, 2nd sentence – For accuracy and consistency, it is suggested that reference to “Development Area” is replaced by “development boundary”.</p> <p>Paragraph 5.3.10 (should be 5.3.11?) says that the landowner currently permits public access to the orchard (proposed Local Green Space #2). It is not clear whether there is any significance to the statement. It should be noted that paragraph 101 of the Framework says that “Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.” If there is no significance to the statement, it is suggested that it could be deleted.</p>
<p>Policy LB/ E/3 - Key Views</p> <p>To be supported development proposals must demonstrate that they are sited, designed and of such a scale that they do not substantially</p>	<p>Policy LB/E/3 identifies 3 key views which are listed in para 5.3.11, paragraphs 2 – 4 (unnumbered) and identified in Figure 3.</p> <p>To be supported, development proposals must demonstrate that they are sited, designed and of such a scale that they do not substantially</p>

<p>harm the key views (identified on Fig 3) when seen from locations that are freely accessible to members of the general public.</p>	<p>harm the key views when seen from locations that are freely accessible to members of the general public.</p> <p>Paragraph 174 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).</p> <p>Figure 3 identifies the location and direction of the proposed Key Views. To provide a practical framework for decision makers (and applicants) it would be helpful if the scale of the map was reduced so that the precise location of the key views was clearer. If the scale of the map was reduced it may be possible to see the A4103 and Stocks Lane without the need to for arrows (which can be confused with the arrows for the key views).</p> <p>It is important that objective criteria are established for the identification and grading of views and it is noted that the proposed views have been assessed against criteria listed in Appendix F of the NDP. For clarity and consistency, it is suggested that “<i>criteria set out in Appendix F</i>” is inserted between the words “using” and “a report” in the the final sentence of paragraph 5.3.11.</p> <p>To provide robust evidence, it would have been helpful if Appendix F had shown how the proposed key views scored in the assessment</p>
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	<p>process compared with any other views that may have been considered.</p> <p>It is considered that the Policy wording of Policy LB/E/3 would have regard to the Framework.</p>
<p>Heritage</p>	
<p>Policy LB/ E/4 - Heritage</p> <p>a. To be supported, proposals which affect a non-designated heritage asset (a building or structure on the Local List following adoption by Malvern Hills District Council] must demonstrate how they protect or enhance the heritage asset.</p> <p>b. To be supported, proposals for the renovation or alteration of a non-designated heritage asset (building or structure) must be designed sensitively, and with careful regard to the heritage asset’s historical and architectural interest and setting.</p>	<p>Policy LB/E/4 seeks to protect, and where possible, enhance, non-designated heritage assets on the Local List (following adoption by Malvern Hills District Council).</p> <p>Heritage assets are an irreplaceable resource and paragraph 189 of the Framework requires that historic assets should be conserved in a manner that is appropriate to their significance.</p> <p>Policy LB/E/4 helpfully distinguishes between designated heritage assets (such as listed buildings and conservation areas) and other heritage assets (identified by the local authority).</p> <p>Paragraph 5.3.12 of the Reasoned Justification makes it clear that the Local List will be designated and maintained by Malvern Hills District Council.</p> <p>Whilst some Parish and Town Councils have sought to nominate non-designated heritage assets for consideration in the MHDC Local List SPD through the NDP process, it is noted that Leigh & Bransford Parish Council’s preferred approach is to propose potential assets outside the NDP process. This is an acceptable approach.</p> <p>Paragraph 5.3.13 - For clarity and accuracy, it is suggested that the final sentence be amended to read “The nomination identification of</p>

	<p>potential proposed non-designated assets is included as a task for the Parish Council in Appendix A, Parish Tasks (Task 32).</p> <p>Paragraphs 5.3.14 and 5.3.15 – It is considered that these paragraphs do not explain the intention at rationale of Policy LB/E/4 and should be deleted.</p> <p>It is considered that the wording of Policy LB/E/4 has regard to the Framework.</p>
<p>Policy LB/ E/5 - Archaeology</p> <p>To be supported development proposals should meet all of the following criteria:</p> <ol style="list-style-type: none"> a. Avoid or minimise any conflict with known surface and sub-surface archaeology included in the Worcestershire Historic Environment Record. b. Ensure unknown and potentially significant deposits are identified and appropriately considered during development. Lack of current evidence of surface or sub-surface archaeology must not be taken as proof of absence. c. Where proposals are likely to affect heritage assets with archaeological interest, they should be accompanied by a description informed by available evidence, desk-based assessment and, where appropriate, field evaluation to establish the significance of known or potential heritage assets. 	<p>Policy LB/E/5 requires all development proposals to avoid or minimise conflict with known surface and subsurface archaeology that are included in the Worcestershire Historic Environment Record (HER).</p> <p>Policy LB/E/5 proposes that a lack of current evidence of surface or sub-surface archaeology must not be taken as proof of absence.</p> <p>Where proposals are likely to affect heritage assets with archaeological interest, they should be accompanied by a description informed by available evidence, desk-based assessment and, where appropriate, field evaluation to establish the significance of known or potential heritage assets.</p> <p>Paragraph 194 of the Framework says that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.</p> <p>SWDP 24 (Management of the Historic Environment) says that where proposals are likely to affect heritage assets with archaeological interest they should be accompanied by a description informed by available evidence, desk-based assessment and, where</p>

appropriate, field evaluation to establish the significance of known or potential heritage assets.

It is considered that the principle of Policy LB/E/5 has regard to the Framework and is in general conformity with SWDP 24. However, it is not necessary or appropriate for development proposals to meet all 3 criteria. To address this issue, the following amendments to Policy LB/E/5 are proposed:

- Delete the first sentence which starts with “To be supported ...”
- Delete the lettering “a.” and start the first paragraph “Development proposals should” avoid or minimise ...
- Delete the numbering “b.” and start the paragraph with “Proposals should also” ensure unknown ...
- Delete the numbering “c.”

Paragraph 5.3.17 - Map 6 helpfully shows sites of known surface and sub-surface archaeology in the parishes of Leigh and Bransford. In order to provide greater certainty for applicants and to enable decision makers to apply Policy LB/E/5 consistently and with greater confidence it would be helpful if these sites of archaeological interest were listed in the Reasoned Justification or an Appendix.

Whilst paragraph 5.3.18 (unnumbered) provides a weblink to the HER searches for Leigh and Bransford, it is considered that the Reasoned Justification should provide a link between the HER searches and Policy LB/E/5 in order that decision makers can apply the policy consistently and with confidence. It is suggested wording along the following lines be added to the final paragraph – *“The HER lists the known archaeological remains in the area and should be consulted when preparing planning applications. Where there is considered to be potential for archaeological remains, Policy LB/E/5 may be used to place planning conditions on proposals so*

	<p><i>that suitable site surveys to identify, or exclude, such potential can be carried out.”</i></p> <p>Appendix D includes Map 11 (Buildings in Leigh and Bransford on 1st Edition Ordnance Survey Map). The relationship between Map 11 and Policy LB/E/5 is unclear. If the map is not relevant to surface or sub-surface archaeology then it is considered that it should be deleted.</p>
<p>Policy LB/E/6 - Farmsteads and Agricultural Buildings</p> <p>Redevelopment, alteration or extension of historic farmsteads and agricultural buildings within the Neighbourhood Area (as shown on Map 7) should be sensitive to their local distinctiveness, materials and form. Due reference and consideration should be made to the Worcestershire Farmstead Assessment Framework.</p>	<p>Policy LB/E/6 says that proposals for the redevelopment, alteration or extension of historic farmsteads should be sensitive to their local distinctiveness, materials and form.</p> <p>Due reference and consideration should be made to the Worcestershire Farmstead Assessment Framework.</p> <p>Farmsteads, and in particular traditional farm buildings of 19th century or earlier date make an important contribution to local distinctiveness and a sense of place, through their varied forms, use of materials and the way they relate to the surrounding landscape and settlement.</p> <p>SWDP 6 (Historic Environment) supports development proposals where they conserve and enhance the significance of heritage assets, including historic farmsteads.</p> <p>It is considered that the principle of Policy LB/E/6 is in general conformity with SWDP 6. However, it is considered that the words “local distinctiveness” should be replaced with “historic character”. Whilst historic farmsteads may make a contribution to local distinctiveness, it is the “historic character” of the actual farmstead or agricultural building that the development proposal should be sensitive to. The proposed wording change would also reflect the</p>

	<p>wording in paragraph 5.3.19 (unnumbered) of the Reasoned Justification.</p> <p>Map 7 helpfully shows the location of historic farmsteads in the Neighbourhood Area. In order to provide greater certainty for applicants and to enable decision makers to apply Policy LB/E/6 consistently and with confidence it is considered that the farmsteads shown on Map 7 should be listed in the Reasoned Justification or an Appendix.</p> <p>Paragraph 5.3.20 (unnumbered) - It is suggested that that it would be helpful if, prior to the weblink, the Reasoned Justification explained what the Worcestershire Farmstead Assessment Framework is. For example, - <i>“The Worcestershire Farmstead Assessment Framework, available at [insert hyperlink], provides a step-by-step approach to considering the reuse of traditional farm buildings and the sustainable development of farmsteads, through identifying their historic character, significance and potential for change.”</i></p>
<p>Policy LB/E/7 - Conservation Areas</p> <p>Development proposals within Leigh Conservation Area or its setting should preserve or enhance its character or appearance, having regard to its significance and special interest.</p> <p>Proposals will be supported provided that they meet all of the following criteria:</p> <ul style="list-style-type: none"> a. serve to preserve or positively enhance the Conservation Area by virtue of their use, character and design; and 	<p>Policy LB/E/7 says that development proposals in the Leigh Conservation Area or its setting should preserve or enhance its character or appearance, having regard to its significance and special interest.</p> <p>Policy LB/E/7 says development proposals should meet 9 criteria (a – i).</p> <p>Paragraph 189 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.</p>

<ul style="list-style-type: none"> b. avoid any demolition of a building or structure if its loss would be harmful to the character of the Conservation Area; and c. respect the prevailing density of buildings and their plan form, recognising the variations that occur in these factors within the Conservation Area; and d. reflect the size, height, scale, form, proportions and detailing of the existing and surrounding built form; and e. use local materials and vernacular techniques wherever possible; and f. 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 g. retain important views, open spaces, boundary features, trees and hedgerows; and h. specify local materials or native species for any new boundary treatments such as walls, railings, fencing or hedging; and i. preserve the open countryside setting of the Conservation Area.” <p>The Conservation Area at Leigh is indicated on Map 8.</p>	<p>Paragraph 207 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 200 or less than substantial harm under paragraph 201, 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.</p> <p>A Leigh Conservation Area Appraisal was published in 1995. Whilst the Appraisal is now 26 years old and therefore is not considered to be up-to-date, there may be some elements of the Appraisal that remain relevant and the Reasoned Justification helpfully includes extracts from it.</p> <p>It is considered that Policy LB/E/7 generally has regard to the Framework and is in general conformity with SWDP 6 (Historic Environment).</p> <p>It is, however, considered that development proposals need not necessarily meet all of the the criteria a to i. It is therefore suggested that “meet all of the following criteria” could be deleted from the second sentence.</p>
<p>Biodiversity</p>	

<p>Policy LB/E/8 - Biodiversity</p> <p>All development proposals that impact on local wildlife and habitats, must demonstrate how biodiversity will be protected and enhanced. Map 9 and Map 10 indicate sites already identified as designated sites for importance for nature conservation, and merged habitat networks.</p>	<p>Map 9 identifies merged Biodiversity Action Plan networks in the Neighbourhood Area and parts of neighbouring parishes.</p> <p>Map 10 identifies Sites of Special Scientific Interest, local wildlife sites, 2009 road verge nature reserves and grassland inventory in the Neighbourhood Area and parts of neighbouring parishes.</p> <p>Policy LB/E/8 proposes that all development proposals that impact on local wildlife and habitats, must demonstrate how biodiversity will be protected and enhanced.</p> <p>It is assumed that the intention is for Policy LB/E/8 to relate to the habitats shown on Maps 9 and 10, but this is not entirely clear, particularly as the policy says that the maps “indicate sites already identified”, implying that further sites may be identified.</p> <p>Paragraph 179 of the Framework says that to protect and enhance biodiversity and geodiversity, plans should:</p> <ul style="list-style-type: none"> a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. <p>Policy LB/E/8 seeks to have regard to paragraph 179 but it is considered that it is not drafted with sufficient clarity that it could</p>
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	<p>applied consistently and with confidence by decision makers, and does not appear to be supported by robust evidence on the specific wildlife sites and habitats that it seeks to protect..</p> <p>To meet the above requirements it is considered that Policy LB/E/8 should:</p> <ul style="list-style-type: none"> • Clearly identify the specific sites (with boundaries) to be protected / enhanced. It should also be noted that Policy LB/E/8 would only apply to sites within the Neighbourhood Area, not those shown on Maps 9 and 10 in neighbouring parishes. • Provide evidence outlining the significance of the specific sites to be protected and enhanced. It is worth noting that SSSI's are already afforded a high level of protection under national policy. <p>The Reasoned Justification for Policy LB/E/9 (paragraphs 5.3.23 and 5.3.24) refers to an "Ecological Search for Leigh & Bransford Neighbourhood Area" undertaken by Worcestershire County Council. Whilst this background report is summarised in Appendix E, it is strongly recommended that relevant information from this report is summarised in the supporting text for Policy LB/E/8 to support the choice of sites and the approach taken.</p>
<p>Policy LB/E/9 - Biodiversity Net Gain</p> <p>To be supported development proposals must demonstrate a net gain in biodiversity wherever practical and viable by meeting all of the following criteria:</p>	<p>Policy LB/E/9 proposes that all new development proposals should, wherever practical and viable, demonstrate a net gain in biodiversity by:</p>

<ul style="list-style-type: none"> a. Retaining existing wildlife habitats and landscape features (such as watercourses, ponds, unimproved grassland, and orchards) to support biodiversity. b. Creating new wildlife habitats c. Including native flora in replacement planting, and new planting, such as hedgerows, landscaping, and open spaces. d. Creating a biodiversity-friendly environment by including features such as bat boxes, bird boxes, nest cups, and bee bricks e. Including wildlife friendly boundary treatments that facilitate the movement of species. <p>See also Policy LB/I/4e</p>	<ul style="list-style-type: none"> a) Retaining existing wildlife habitats and landscape features (e.g. watercourses, ponds, unimproved grassland, and orchards); b) Creating new wildlife habitats; c) Including native flora in new (and replacement) planting such as hedgerows, landscaping and open spaces; d) Creating a biodiversity-friendly environment (by including features such as bat boxes, bird boxes, nest cups, and bee bricks); and e) Including wildlife friendly boundary treatments that facilitate the movement of species. <p>Policy LB/E/9 includes reference to Policy LB/I/4e (Flooding and Drainage).</p> <p>Paragraph 174d of the Framework says that planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.</p> <p>Paragraph 179b of the Framework says plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.</p>
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	<p>SWDP 22 (Biodiversity and Geodiversity) addresses biodiversity at a more strategic level. SWDP22 says development which would compromise the favourable condition or the favourable conservation status of a Grassland Inventory Site (GIS), a Local Wildlife Site (LWS), a Local Geological Site (LGS), an important individual tree or woodland and species or habitats of principal importance recognised in the Biodiversity Action Plan, or listed under Section 41 of the Natural Environment and Rural Communities Act 2006, will only be permitted if the need for and the benefits of the proposed development outweigh the loss.</p> <p>It is considered that Policy LB/E/9 seeks to have regard to paragraph 174d and 179b of the Framework.</p> <p>However, it is considered that paragraphs 5.3.21 – 5.3.22 are vague, do not relate specially to the Neighbourhood Area and do not directly support the choices made and the approach taken. It is also considered that reference to the HRA Screening Opinion in paragraph 5.3.26 is not relevant to the requirement that development proposals demonstrate a net gain in biodiversity.</p> <p>It is considered that development proposals need not necessarily meet all of the the criteria a to e. It is therefore suggested that “meeting all of the following criteria” could be deleted from the first sentence of the policy.</p> <p>The link to Policy LB/I/4e (Flooding and Drainage) in the final sentence of Policy LB/E/9 seems unnecessary and could be deleted.</p>
5.4 Infrastructure and Energy	

Renewable and Low Carbon Energy	General Comments
<p>Policy LB/I/1 – Renewable and Low Carbon Energy (1)</p> <p>To increase the supply of renewable and low carbon energy and heat, all new developments over 100 m² gross or one or more dwellings should incorporate the generation of energy from renewable or low carbon sources equivalent to at least 20% of predicted energy requirements unless it has been demonstrated that this would make the development unviable.</p>	<p>Policy LB/I/1 proposes that all new development over 100m² or one or more dwellings incorporate renewable or local energy technologies to meet at least 20% of the developments predicted energy requirements, unless it has been demonstrated that this would make the development unviable.</p> <p>Paragraph 155 of the Framework says that to help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources, that maximises the potential for suitable development ...”</p> <p>SWDP 27 (Renewable & Low Carbon Energy) requires all new development over 100m² or one or more dwellings incorporate renewable or local energy technologies to meet at least 10% of the developments predicted energy requirements, unless it can be demonstrated that this would make the development unviable.</p> <p>Whilst SWDPR 31 (Renewable & Low Carbon Energy) in the SWDPR Preferred Options (November 2019) proposes a 20% renewable or low carbon energy requirement, it should be noted that this is an emerging draft policy that has not yet been tested at examination.</p> <p>It should be noted that:</p> <ul style="list-style-type: none"> • a draft neighbourhood plan must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. • the ability to impose reasonable requirements for a proportion of energy used in developments to be from renewable or low carbon sources is conferred to local planning authorities

	<p>through the Planning and Energy Act (2008). This ability does not extend to Town or Parish Councils.</p> <p>The Reasoned Justification for Policy LB/I/1 appears to be paragraph 5.4.3. In the first sentence, it is not clear what relevance mains drainage is to Policy LB/I/1. Similarly, the relevance of parisheners being in favour of energy saving measures seems unclear given that Policy LB/I/1 relates to energy generation, not energy saving.</p>
<p>Policy LB/I/2 – Renewable and Low Carbon Energy (2)</p> <p>With the exception of wind turbines proposals for stand-alone renewable or low carbon energy projects and associated infrastructure in the Leigh & Bransford Neighbourhood Area will be supported where they can demonstrate that all the following requirements can be met. In making this assessment, any other existing, permitted or proposed similar developments in the locality will be taken into account so that cumulative impacts are considered. Wherever possible, proposals should be situated on previously-developed or non-agricultural land which is not of high environmental value. The requirements are that:</p> <ol style="list-style-type: none"> a. any proposed use of agricultural land has been shown to be necessary, that poorer quality land has been used in preference to land of higher quality, and that the proposal allows for continued agricultural use where applicable and practicable, and encourages biodiversity improvements; and b. the impacts on landscape character, views and visual amenity are acceptable, or are capable of being satisfactorily mitigated by a landscaping scheme which is itself acceptable; and 	<p>With the exception of wind turbines, Policy LB/I/2 supports stand-alone renewable or low carbon energy projects, subject to 7 criteria being met:</p> <ol style="list-style-type: none"> a. use of a agricultural land has been demonstrated to be necessary; poorer quality agricultural land has been used in preference to land of higher quality; agricultural use can continue where applicable and practicable; and biodiversity improvements are encouraged; and b. impacts on landscape character, views and visual amenity are acceptable, or are capable of being satisfactorily mitigated; and c. no undue loss of amenity to the occupiers of residential properties (including by way of security fencing, noise, lighting or design and siting); and d. safe and environmentally acceptable access to the highway network; and e. SuDS, where relevant, to manage surface water, avoid risk of pollution, soil erosion and damage to wildlife habitats; and f. no unacceptable impacts on natural and historic environments (taking account of views to the setting of heritage assets); and g. no unacceptable impacts on public rights of way.

<ul style="list-style-type: none"> c. there will be no undue loss of amenity to the occupiers of residential properties, including by way of security fencing, noise, lighting or the design and siting of any installation; and d. the local highway network and the proposed means of vehicular access can cater safely for both the volume and type of vehicles anticipated, and the proposed access is environmentally acceptable; and e. where relevant, sustainable drainage proposals are included to acceptably manage surface water and avoid risk of pollution, soil erosion and damage to wildlife habitats; and f. there are no unacceptable impacts on the natural and historic environments, taking account of the impact on views important to the setting of heritage assets; and g. there are no unacceptable impacts on the utility and enjoyment of public rights of way. <p>Where appropriate, planning conditions will be imposed to ensure that installations are removed when no longer in use and the land is restored to its previous use and condition.</p>	<p>The potential cumulative impacts of similar developments in the locality would be taken into account.</p> <p>Also, where appropriate, planning conditions would be imposed to ensure that installations are removed when no longer in use and that land is restored to its previous use.</p> <p>Paragraph 155 of the Framework says that to help increase the use and supply of renewable and low carbon energy and heat, plans should provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts).</p> <p>Paragraph 158, footnote 54 says “Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.”</p> <p>SWDP 27 C (Stand Alone Renewable and Low Carbon Energy Schemes) says that with the exception of wind turbines, proposals for stand-alone renewable and other low carbon energy schemes are welcomed and will be considered favourably having regard to the provisions of other relevant policies in the Plan. The South Worcestershire Councils have set out associated advice and guidance on the implementation of Policy SWDP 27 in a Renewable & Low Carbon Energy Supplementary Planning Document (SPD), adopted in July 2018.</p>
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	<p>It is considered that the wording of Policy LB/I/2 seeks to have regard to the Framework and is in general conformity with SWDP 27C.</p> <p>However, the supporting text does not provide proportionate, robust evidence to explain the intention and rationale of the proposed criteria set out in the policy.</p> <p>Paragraph 5.4.1, sentence 3 – For accuracy, only Policy LB/I/2 (not LB/I/1) supports stand-alone renewable or low carbon energy projects.</p> <p>Paragraph below 5.4.2 (unnumbered) – the relevance of the paragraph to explaining the rationale for Policies LB/I/1 or LB/I/2 is unclear.</p>
<p>Policy LB/I/3 - Electric Vehicle Charging</p> <p>Proposals for any new dwelling where parking is provided must have an appropriately located electric vehicle charging point. Proposals for new employment, leisure or retail developments must provide electric charging points for staff and/or users.</p>	<p>Policy LB/I/3 has 2 parts.</p> <p>The first part of Policy LB/IRLCE/3 requires new dwellings to include an electric vehicle charging point.</p> <p>The second part of Policy LB/IRLCE/3 requires development proposals for new employment, leisure or retail to provide electric charging points.</p> <p>The principle of Policy LB/I/3 seems to have regard to paragraph 112e of the Framework which says applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.</p> <p>Policy LB/I/3 is also generally consistent with emerging draft Policy SWDPR 3E, albeit the SWDPR has not yet been tested at examination.</p> <p>In relation to proposals for new employment, leisure or retail developments, it is suggested that the word “appropriate” be inserted</p>

	<p>between “provide” and “electric”. It should be noted that the difficulty in prescribing a specific requirement for employment development is that what is “appropriate” will vary greatly depending on the nature and size of the proposed development.</p>
<p>LB//4 - Flooding and Drainage</p> <p>In addition to the requirements of SWDP28 (Management of Flood Risk) and SWDP 29 (Sustainable Drainage Systems) to be supported all developments will be required to meet all of the following:</p> <ul style="list-style-type: none"> a. Adopt the principles of the South Worcestershire Water Management and Flooding SPD and the Worcestershire County Council Sustainable Drainage Design and Evaluation Guide. b. Demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, in such that a discharge to the public sewerage systems are avoided, where possible. c. As a minimum, demonstrate that for a greenfield site, the post-development surface water run-off rate will not increase and for brownfield sites show that post development run-off will result in a 30% reduction in surface water run-off compared with the brownfield situation. d. Where any soakaway drainage/ infiltration solutions are proposed or required: Undertake permeability / porosity tests from guidance in BRE Digest 365 “Soakaway Design” by a suitably qualified professional and provide full test results. 	<p>Policy LB//4 requires all development proposals to meet the requirements of SWDP 28 (Management of Flood Risk) and SWDP 29 (Sustainable Drainage Systems) and meet all of the following 6 criteria:</p> <ul style="list-style-type: none"> a. Adopt the principle of the South Worcestershire Water Management and Flooding SPD and the Worcestershire County Council Sustainable Drainage Design and Evaluation Guide. b. Demonstrate that all surface water discharges have been carried out in accordance with the principles of the drainage hierarchy, with discharge to the public sewerage systems avoided, where possible. c. Greenfield sites must demonstrate that post-development surface water run-off rate will not increase, whilst brownfield sites must demonstrate that post development run-off will result in a 30% reduction in surface water run-off. d. Where soakaway drainage/ infiltration solutions are proposed, permeability / porosity tests by a suitably qualified professional should be provided. e. Opportunities should be taken for drainage (ditches, swales, balancing ponds etc) to enhance biodiversity and biodiversity corridors. f. Maintenance requirements for adopted flooding and drainage solutions to be provided. <p>Paragraph 159 of the Framework says inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where</p>

<p>e. Take opportunities for drainage (ditches, swales, balancing ponds etc) to enhance biodiversity and biodiversity corridors</p> <p>f. Provide details of future maintenance requirements for solutions adopted</p>	<p>development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.</p> <p>Paragraph 160 of the Framework says that strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.</p> <p>Paragraph 161 of the Framework says that all plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by:</p> <ul style="list-style-type: none"> a) applying the sequential test and then, if necessary, the exception test as set out below; b) safeguarding land from development that is required, or likely to be required, for current or future flood management; c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations. <p>Relevant strategic policies in the SWDP are SWDP28 (Management of Flood Risk) and SWDP 29 (Sustainable Drainage Systems).</p>
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	<p>The Reasoned Justification clearly indicates that there are flooding hotspots in the Neighbourhood Area and the intention of Policy LB/I/4 is clearly to ensure that flood risk is not increased as a result of development.</p> <p>More detailed comments on Policy LB/I/4 include:</p> <ul style="list-style-type: none">• Policy LB/I/4 seeks to apply to all development proposals. It should be noted that paragraph 168 of the Framework says that applications for some minor development and changes of use should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 54 (should be footnote 55). Footnote 55 says that in Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.• For the Exception Test there are some proposals that would not be required to comply (this is set out in PPG). Surface Water Drainage Strategies are required for all 'major' developments (this means for housing development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more and for non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more). 'All new development' in any of the catchment types does not apply to minor extensions in high risk catchments.
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	<ul style="list-style-type: none"> • Criterion a – Is in general conformity with SWDPR 33B in the emerging SWDPR. • Criterion b – Is in general conformity with SWDPR 33E in the emerging SWDPR. • Criterion c – Paragraph 167 of the Framework is very general and says that “When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.” Both SWDP 29 and LB/I/4 distinguish between greenfield and brownfield sites and the amount of post development surface run off. Both say that on a greenfield site the rate of surface water run off should not increase. Whilst SWDP 29Aiv says surface water run off on brownfield sites must show a reduction of 20%, Policy LB/I/4(c) proposes a 30% reduction in surface water run off on brownfield sites. • Criterion d - Soakaway requirements are covered under part H of the Building Regulations - paragraph 3.28 deals specifically with Percolation tests). In light of this, it is not considered prudent to try and deal with it within planning policies as Building Regulations may change. • Criterion e - Biodiversity is considered to be a theme that cuts across all three SWDP water management policies and the ethos of taking sustainable drainage opportunities to enhance biodiversity is made very clear across all three. • Criterion f – Is considered to be in general conformity with SWDP 29A and the emerging SWDPR 33 which proposes the submission of a SuDS management plan to demonstrate who will be responsible for maintenance of the features for the
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	lifetime of the development, including details on how the maintenance will be funded and how it will be carried out.
<p>Policy LB/I/5 – Communications (1)</p> <p>Any new development within the Neighbourhood Area should be served by full fibre broadband connections unless it can be demonstrated through consultation with the NGA Network providers that this would not be possible, practical or commercially viable. In such circumstances, suitable ducting should be provided within the site and to the property to facilitate future installation.</p>	<p>Policy LB/I/5 proposes that new development be served by full fibre broadband unless it can be demonstrated in consultation with the NGA Network provider that this would not be possible, practical or commercial viable.</p> <p>Paragraph 114 of the Framework says planning policies should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).</p> <p>Policy SWDP 26A says new development should be provided with superfast broadband or alternative solutions where appropriate, e.g. mobile broadband and / or Wi-Fi. Wherever practicable, superfast broadband capacity should be incorporated to agreed industry standards. Developers and infrastructure providers should seek to facilitate this through early engagement.</p> <p>It is considered that Policy LB/I/5 has regard to the Framework and is in general conformity with SWDP 26A.</p> <p>It is suggested that some elements of paragraph 5.4.12, such as reference to poor public transport (2nd sentence) are not directly relevant to Policy LB/I/5.</p>
<p>LB/I/6 – Communications (2)</p>	<p>Policy LB/I/6 supports the development or improvement of mobile telecommunication infrastructure, subject to the following 3 criteria:</p>

<p>Improvement and development of new mobile telecommunication infrastructure will be supported provided that it meets all the following:</p> <ul style="list-style-type: none"> a. Its design and placement seeks to minimise impact on the visual amenity, character or appearance of the surrounding area; and b. Its design and siting does not have an unacceptable effect on historical features and buildings, visually sensitive landscape or views. c. Where freestanding masts are proposed it is demonstrated that there are no viable options for siting the equipment on or in existing buildings or structures. 	<ul style="list-style-type: none"> a. the design and placement seeks to minimise impact on the visual amenity, character or appearance of the surrounding area; and b. the design and siting not having an unacceptable effect on historical features and buildings, visually sensitive landscape or views; and c. Where freestanding masts are proposed, it is demonstrated that there are no viable options for siting the equipment on or in existing buildings/structures. <p>Paragraph 115 of the Framework says that the number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.</p> <p>Policy SWDP 26B sets out 5 factors that will be taken into account when considering telecommunications development proposals.</p> <p>It is considered that Policy LB/I/6 has regard to the Framework and is in general conformity with SWDP 26B.</p>
<p>Policy LB/I/7 – Moving Around</p> <p>Where possible, new housing should be designed to ensure that it connects safely to local amenities, and the existing footway, cycleway, and footpath network.</p>	<p>Policy LB/IMA/4 encourages the design of housing development to connect to local amenities and connect to existing footways, cycleways and footpath network.</p> <p>Paragraph 92a of the Framework says planning policies should aim to achieve healthy, inclusive and safe places which promote social</p>

	<p>interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages.</p> <p>SWDP 21Bix says design and layouts should maximise opportunities for pedestrian and cycle linkages to the surrounding area and local services and should be generally accessible for all users, including those with disabilities.</p> <p>It is considered that the principle of Policy LB/I/7 has regard to paragraph 92a of the Framework and is in general conformity with SWDP 21Bix. It is, however, suggested that Policy LB/I/7 should apply to all development to be consistent with the Framework. It is therefore suggested that “Where possible, new housing” is replaced with “Development proposals, as appropriate”</p> <p>The application of Policy LB/IMA/4 will depend on a case-by-case basis, but is helpfully picked up as a specific criteria in the proposed site allocation for 52 dwellings off the A4103 (Policy LB/H/6).</p> <p>It is considered that much of the information in paragraphs 5.4.15 – 5.4.20 is not relevant to Policy LB/I/7. The purpose of Policy LB/I/7 is to ensure that new development connects to local amenities by walking or cycling. The proposed policy will not address issues such as lack of bus services, distance from rail stations, doctors surgery and hospitals in Worcester and Malvern etc.</p>
<p>5.6 Amenities, Health and Well Being</p>	

<p>LB/WB/1 – Community Facilities (1)</p> <p>The following are identified as important community facilities in the Plan area:</p> <ul style="list-style-type: none"> • Royal Oak Public House, Leigh Sinton (Asset of Community Value) • Leigh and Bransford Memorial Hall • Leigh Sinton Shop and Post Office • Leigh and Bransford Primary School • 1st Leigh Scout Group HQ <p>Any proposal that would result in the loss of any of these community facilities will only be supported if the criteria set out in SWDP Policy 37B or successor Policies are met. (Fig 4 below shows the location of the community facilities)</p>	<p>Policy LB/AHWP/1 resists the loss of the following 5 valued community facilities unless it can be demonstrated that the proposal meets the criteria in SWDP Policy 37B (or its successor):</p> <ul style="list-style-type: none"> • Royal Oak Public House, Leigh Sinton • Leigh and Bransford Memorial Hall • Leigh Sinton Shop and Post Office • Leigh and Bransford Primary School • 1st Leigh Scout Group HQ <p>Paragraph 93c of the Framework says planning policies should plan positively for community facilities and guard against the unnecessary loss of valued facilities and services.</p> <p>SWDP 37B B says that any proposal that would result in the loss of a site or building currently or last used as a community facility will only be permitted if the certain criteria are met. Footnote 82 for SWDP 37 sets out what uses constitute community facilities. It is considered that 4 of the 5 proposed facilities meet the definition of community facilities covered by SWDP 37B. The Post Office, however, does not meet the definition of a community facility. Proposals for change of use of the Post Office to non-retail uses would only be supported when consistent with SWDP Policy 10.</p> <p>Figure 4 shows the broad location of the community facilities that are to be protected under Policy LB/WB/1. It would be helpful if a more detailed map was provided to show the facilities to be protected. For example, it is not clear from Figure 4 whether Policy LB/WB/1 would</p>
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	<p>apply just to the Memorial Hall or whether it would also apply to the adjacent playing field referred to in paragraph 5.5.2.</p> <p>Subject to the above comments, it is considered that Policy LB/WB/1 is in general conformity with SWDP 37B.</p>
<p>LB/WB/2 – Community Facilities (2)</p> <p>The provision of new built community facilities or the enhancement of existing facilities will be required to demonstrate all of the following:</p> <ul style="list-style-type: none"> a. The siting, scale and design respects the character of the surrounding area, including any historic and natural assets. b. The local road network can accommodate the additional traffic without compromising highway safety. c. Adequate off-road vehicle and cycle parking is provided on the site. d. There will be no significant adverse impact on residential amenity. 	<p>Policy LB/AHWB/2 supports the enhancement of existing community facilities or the provision of new community facilities, subject to the following 4 criteria being met:</p> <ul style="list-style-type: none"> a. Siting, scale and design respecting the character of the surrounding area (including any historic and natural assets); and b. Local road network being able to safely accommodate the additional traffic, and c. Adequate off-road vehicle / cycle parking being provided on site; and d. No significant adverse impact on residential amenity. <p>Paragraph 93a of the Framework says that to provide the social, recreational and cultural facilities and services the community needs, planning policies should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.</p> <p>SWDP 37A (Built Community Facilities) supports the provision of new community facilities or the enhancement of existing facilities,</p>

	<p>particularly where the proposals have resulted from neighbourhood planning, subject to satisfying the sequential test in the Framework where applicable. Applicants will be required to consider whether the combining or rationalisation of existing facilities would be more appropriate than the provision of a new facility.</p> <p>It is considered that Policy LB/WB/2 helpfully sets out criteria against which proposals for the enhancement of existing community facilities or provision of new community facilities would be assessed.</p> <p>In relation to the Reasoned Justification, paragraph 5.5.3 says “proposals will be expected to take community views into consideration.” This is inaccurate and misleading. Planning law requires that applications be determined in accordance with the development plan (including, SWDP 37A and LB/WB/2) unless material considerations indicate otherwise.</p> <p>It is considered that paragraph 5.5.4 does not explain the intention or rationale for Policy LB/WB/2 and could be deleted.</p>
<p>LB/WB/3 – Health Impact Assessments</p> <p>In accordance with the South Worcestershire Supplementary Planning Document, Planning for Health(19), Health Impact Assessments (HIA) will be required for development proposals:</p> <ul style="list-style-type: none"> • Residential and mixed use sites of 25 or more dwellings • Employment sites of 5 hectares or greater • Retail developments of 500 square metres or more. 	<p>Policy LB/WB/3 proposes that a Health Impact Assessment be required for all developments that exceed the following thresholds:</p> <ul style="list-style-type: none"> • Residential and mixed use sites of 25 or more dwellings • Employment sites of 5 hectares or greater • Retail developments of 500 square metres or more. • Any other proposals considered by the local planning authority to require a HIA.

<ul style="list-style-type: none"> Any other proposals considered by the local planning authority to require a HIA. <p>In order to be supported proposals should demonstrate how they have addressed the Health and Well Being principles in the HIA.</p>	<p>Applicants should demonstrate how they have addressed the health and well-being principles in the HIA.</p> <p>Paragraph 92c of the Framework says planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.</p> <p>The South Worcestershire Planning for Health in South Worcestershire SPD (September 217) requires a Health Impact Assessment (HIA) for residential and mixed use sites of 25+ dwellings, employment sites of 5+ ha and retail developments of 500+ square metres.</p> <p>In light of the above, the principle of Policy LB/WB/3 appears to have regard to national policy and be in general conformity with the SWDP.</p>
<p>Appendix A – Proposed Parish Council Tasks</p>	
	<p>Planning Practice Guidance says wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan.</p>

	It is considered that the list of proposed Parish Tasks in Appendix A is clearly identifiable and will not form part of the statutory development plan.
Appendix B – Leigh & Bransford Housing Need Survey: Summary (2021)	
Appendix C – Designated Assets Impacted by the Proposed Site Allocation	
Appendix D - Historic Environment Records (HER) Surveys For Leigh and Bransford	
	The relevance of Map 11 (Buildings in Leigh and Bransford Recorded on 1 st Edition Ordnance Survey Map) to the Neighbourhood Plan is unclear. The map does not appear to relate to Policy LB/E/8 (Biodiversity).
Appendix E - Ecological Search for the Leigh and Bransford Neighbourhood Plan: Worcestershire County Council	
	The relevance of Maps 12, 13 and 14 to the Neighbourhood Plan are unclear. The maps do not appear to relate to Policies LB/E/5 (Archaeology) or LB/E/6 (Farmsteads and Agricultural Buildings).
Appendix F - Criteria for Assessing the Visual Value of Views	

Appendix G - Community Facilities

Appendix H - Bibliography

Appendix J (there is no Appendix I) – Assessment of Proposed Site for Allocation