

Full name [REDACTED]

Organisation (if applicable) AddisonRees Planning Consultancy

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Please state which part of the draft Neighbourhood Plan (i.e. which section, objective or policy) your representation refers to. Please submit a separate form for each representation you wish to make.

Neighbourhood Plan Policies: Housing: Site Allocation Policy LB/H/6

Please use the space below to make comments on this part of the Neighbourhood Plan.

Please see the attached statement.

Supporting documents (if applicable) [Neighbourhood Plan Consultation Response Regulation 16 Response.pdf](#)

Would you like to be notified of the decision on the Neighbourhood Plan proposal?

Yes

Confirmation of consent of data use I confirm I have read the privacy statement and consent to my information being used in the ways described. I understand my name and comments will be made publicly available when displaying the outcome of this consultation and cannot be treated as confidential.

## Leigh and Bransford Neighbourhood Plan

### Regulation 16 Consultation

14 April 2022

Dear Sir/Madam,

I have been instructed by [REDACTED] ([REDACTED]) and [REDACTED] ([REDACTED]) to submit a representation on the Leigh and Bransford Neighbourhood Plan.

[REDACTED] jointly own the site Ref. CFS0105 – ‘Land to the north edge of Leigh Sinton next to Upper House Farm.

#### Reasons for Objections -

- 1.1 The focus of this objection is with regards to the Housing: Site Allocation Policy LB/H/6. This policy seeks to allocate approximately 52 dwellings on ‘Land off the A4103, Leigh Sinton’.
- 1.2 Whilst this site has been identified in the Council’s SWDP Local Plan Review as the preferred option, there are significant planning constraints, which make this allocation unsuitable for Leigh Sinton.
- 1.3 The proposed allocation is extensive in area covering 8.64ha according to the Draft SWDP Preferred Options Document. This would be a major development on the edge of the village, which will alter the existing character and form of Leigh Sinton.
- 1.4 For example, this proposed allocation is double the size of the proposed site CFS0105 and would extend significantly beyond the boundary of the village to the north.

#### Heritage Matters -

- 1.5 One of the biggest constraints of the proposed allocation is its proximity to a number of important heritage assets. This is especially the case for such a large expanse of the development. The site lies directly opposite four Grade II listed buildings as shown below.



1.6 The four listed buildings are:

- Ahimsa – [Listing description](#) - II House. Possibly c1600 with C15 remains. Timber-framing with brick infill and tile roof. Comprises a cross-wing and the truncated remains of a cruck hall. Two storeys. Windows are C20 casements. Front gable of wing has one window on the ground floor and two on first floor. The tie-beam is interrupted and there are V-struts above the collar. The left-hand (east) wall of this wing is framed in square panels. The rear gable wall has a tie-beam, collar, and vertical struts. The west wall of the truncated hall range has exposed cruck blades with a tie-beam, a collar interrupted by a first floor window and blades truncated at an upper collar. Doorway to right of ground floor window.
- Sinton House Farmhouse – [Listing description](#) - House. Probably mid-C19 with late C18 remains. Brick with hipped tile roof. Two storeys. South front of three bays with sashed windows. Those on the ground floor have segmental heads. Central bay has single-storey glazed porch on brick base with hipped tile roof. End chimneys. Two wings at rear have casement windows of C18 type.
- The Oast House – [Listing description](#) - Hop kilns and barn, now house. Mid-C19, with early C18 remains and C20 alterations. Brick and timber-framing with tile roof. East wall has one bay at left of two storeys with an attic lit by a dormer. Adjoining at the left are two circular hop kilns with conical rendered roofs. The front kiln has two windows inserted on the ground floor and one on the first floor. To the right is a lower range, formerly a barn. It has five windows on the

ground floor and three attic dormers. Door to right of first window, under an open tiled porch. The north and west walls of the former barn have exposed timber-framing in three rows of square panels. Included for group value.

- Iris Cottage, Jasmine Cottage & Peony Cottage – Listing description - Three houses. Circa 1700. Timber-framing and brick with tile roof. Framed in three rows of square panels, with some brick replacement in right-hand bay. One storey with attic, three bays. Windows are C20 casements. Three attic dormers. Door to right of second window. End chimneys, the left-hand one in front of ridge.

1.7 The Planning (Listed Buildings and Conservation Areas) Act 1990 under section 66 outlines a general duty as to listed buildings in the exercise of planning functions.#

1.8 It is law when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

1.9 It is therefore essential that any allocation has due regard to the impact upon the setting of the adjacent four Grade II listed buildings.

1.10 Paragraph 194 of the updated National Planning Policy Framework (2021) states that:

*“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. 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”.*

1.11 Paragraph 199 outlines that:

*“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.*

1.12 Paragraph 200 sets out that:

*“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification...”.*

1.13 Any harm associated with the proposed allocation upon the surrounding heritage assets would carry substantial weight in any decision making process. Therefore, as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 section 66, there is a duty bestowed on the decision maker to have regard to the impact of any development upon the setting of the listed buildings.

1.14 It is noted that the Parish Council have provided a response to the previous Regulation 14 consultation under 5.1.22, which states:

*“There are four designated assets (listed buildings) in close proximity to the proposed site for allocation. A map and details of the properties are included in Appendix C. A Screening Opinion for a Strategic Environmental Assessment concluded that: “Further to Historic England’s advice, input was sought from Malvern Hills District Council’s Senior Conservation Officer and Archaeology and Planning Advisor, with the following conclusions drawn: “It is considered that the proposed housing allocation site, if developed, would not cause substantial harm to the heritage assets in the vicinity, though a lower level of less than substantial harm could result. Consequently, it is not considered that the proposal would require a Strategic Environmental Assessment”.*

1.15 It is clear that a major development for approximately 52 dwellings with sport and recreation facilities will have a significant impact upon the setting of the adjacent listed buildings. This is likely to have more than less than substantial harm.

1.16 On the basis of the above, the proposed allocation will likely fail to accord with statutory duty as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 section 66 as well as guidance contained within the South Worcestershire Development Plan and updated Framework.

### Highway Matters -

- 1.17 A large portion of the proposed allocated site lies on the bend of the A4103. Therefore, it is likely that any new vehicular access will need to be sited further north along the road close to the Leigh and Bransford Primary School.
- 1.18 A major development of 52 dwellings along with any sport and recreation facilities on 8.64ha of land is likely to generate significant movements to and from the site onto the A4103. This will inevitably lead to conflict with the school drop off and pick up times when vehicle movements are high. Vehicle movements on the weekend would also be significantly higher as a result of the recreational facilities on the site.
- 1.19 Paragraph 110 of the updated Framework states that:

*“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that a...b) safe and suitable access to the site can be achieved for all users...”*

- 1.20 Paragraph 111 follows outlining that:

*“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*

- 1.21 The proposed allocation has not been fully assessed with regards to the potential impact upon highway/pedestrian safety along with the cumulative impacts upon the road network.

### Alternative Site –

- 1.22 It is our contention that an alternative site should be allocated in the Neighbourhood Plan.
- 1.23 This site is referenced CFS0105 – ‘Land to the north edge of Leigh Sinton next to Upper House Farm’ as shown in the below image.



- 1.24 This site has been subject to review as part of the SWDP and was deemed an appropriate site for residential development. However, the adjoining site (as proposed in the Neighbourhood Plan) was deemed more suitable.
- 1.25 This proposed site did not raise any significant adverse impacts in terms of the Major Criteria applied by the South Worcestershire Planning Officers when assessing the site's suitability. The site is comparable in a number of areas to the proposed allocation.
- 1.26 Notwithstanding this, there are some clear differences.
- 1.27 The site is smaller than the proposed allocation and would therefore have less of an impact upon the character and appearance of the village. The site would not encroach as much into the open countryside and is more integrated with the existing village built form.
- 1.28 There is one adjoining Grade II listed building called Upper House Farmhouse – Listed description - Early C19. Brick in Flemish bond with tile roof. Two storeys. Three bays. Windows are boxed sashes with glazing bars, with segmental heads on ground floor. Doorway, in middle bay, has timber Tuscan porch with triglyph frieze. Brick dentil course at eaves. Chimneys to left and right behind ridge.
- 1.29 Whilst the site would have an impact upon the setting of the listed building. There is scope to design a scheme, which delivers open space and Green Infrastructure within its setting and thus reducing any impact from residential development.

1.30 The site has three possible vehicular access points to the site as shown below.



1.31 Two of the access points would be on to Sherridge Road, which is a much quieter road than the A4103. Therefore, the vehicular movements would not result in the same level of conflict as the proposed allocation next to the primary school.

1.32 There are no constraints which would prevent this site coming forward. The site is deliverable now and would help to meet the identified housing needs of the village and will provide a high quality place to live.

#### Conclusions –

1.33 Drawing together the above, it is our contention that the proposed allocation in the draft Neighbourhood Plan will result in significant adverse impacts upon important heritage assets, highway/pedestrian safety and the surrounding highway network.

1.34 The alternative site put forward above would not generate the significant impacts outlined above.

1.35 It is our view that the Site Allocation Policy LB/H/6 - 'Land off the A4103, Leigh Sinton' be replaced with Land to the north edge of Leigh Sinton next to Upper House Farm.

1.36 We hope the above comments are taken into account as part of the Regulation 16 consultation process.





Yours sincerely



Director  
(AddisonRees Planning Consultancy)