

APPENDICES

APPENDIX 1.1

THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 SCHEDULE 1 CONSULTATION BODIES

APPENDIX 1.1

Schedule 1 Regulation 3

Consultation Bodies

Neighbourhood development plans

- 1 For the purposes of regulations 14 and 16, a 'consultation body' means –
- (a) Where the local planning authority is a London borough council, the Mayor of London;
 - (b) A local planning authority, county council or parish council any part of whose area is in or adjoins the area of the local planning authority;
 - (c) The Coal Authority ^(a);
 - (d) The Homes and Communities Agency ^(b);
 - (e) Natural England ^(c);
 - (f) The Environment Agency ^(d);
 - (g) The Historic Buildings and Monuments Commission for England (known as English Heritage) ^(e);
 - (h) Network Rail Infrastructure Limited (Company no. 2904587);
 - (i) The Highways Agency;
 - (j) The Marine Management Organisation ^(f)
 - (k) Any person –
 - (i) To whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communications Act 2003; and
 - (ii) Who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority.
 - (l) Where it exercises functions in any part of the neighbourhood area –
 - (i) A Primary Care Trust established under Section 18 of the National Health Service Act 2006 ^(g) or continued in existence by virtue of that section;
 - (ii) A person to whom a licence has been granted under Section 6 (1) (b) and (c) of the Electricity Act 1989 ^(h);
 - (iii) A person to whom a licence has been granted under Section 7 (2) of the Gas Act 1986 ⁽ⁱ⁾;
 - (iv) A sewerage undertaker; and
 - (v) A water undertaker.
 - (m) Voluntary bodies some or all of whose activities benefit all or any part of the neighbourhood area;
 - (n) Bodies which represent the interests of different racial, ethnic or national groups in the neighbourhood area;
 - (o) Bodies which represent the interests of different religious groups in the neighbourhood area;
 - (p) Bodies which represent the interests of persons carrying on business in the neighbourhood area; and
 - (q) Bodies which represent the interests of disabled persons in the neighbourhood area.

(a) See Section 1 of the Coal Industry Act 1994 (c.21)

(b) See Section 2 of the Housing and Regeneration Act 2008 (c.17)

(c) See Section 1 of the Natural Environment and Rural Communities Act 2006 (c.16)

(d) See Section 1 (1) of the Environment Act 1995 (c.25)

(e) See Section 32 of the National Heritage Act 1983 (c.47)

(f) See Section 1 of the Marine and Coastal Access Act 2009 (c.23)

(g) 2006 (c.41)

(h) 1989 (c.29) Section 6 was substituted by Section 30 of the Utilities Act 2000 (c.27)

(i) 1986 (c.44) Section 7 was amended Section s3 (2), 76 (1) and (3) of, and Paragraphs 1 and 4 of Schedule 6 to, the Utilities Act 2000

MALVERN NP WOKING PARTIES – REQUEST FOR SUPPORT



Malvern's FUTURE

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Have Your Say

Fill out and return the form in the flyer that drops through your door, or email your thoughts to info@malvernsfuture.org

Help the Steering Group

Malvern Town Council is leading the development of Malvern's Neighbourhood Plan, but we need your involvement to ensure that it properly represents the community.

Contact Clare on 01684 566667 to find out more, or email info@malvernsfuture.org.

www.malvernsfuture.org

Dear All,

We are contacting you as you have, in the past, indicated an interest in assisting with Malvern's Neighbourhood Plan.

In recent months the Neighbourhood Plan has been progressing well. A Neighbourhood Plan leaflet with accompanying questionnaire has been distributed to over 19,000 households in Malvern and very importantly a consultant has now been engaged to support preparation of the plan.

We are therefore pleased to inform you that we are now in a position to put together a number of working groups who will look at specific issues that need to be addressed to support the preparation of The Plan. The working groups will be as follows:

1. **Design** - Looking at the character and qualities of the different areas of Malvern to be used as a reference for a design policy stating that development should respond to, reflect and reinforce local distinctiveness and character.
2. **Non-designated Heritage Assets** – Identification of buildings that should be noted for their local historical and or architectural interest. This group could also look at designating local heritage areas.
3. **Local Nature Conservation Assets** – Identification of sites of ecological / nature conservation interest that are not already protected through existing international, national or local designations. The group will need to provide evidence of the ecological / nature conservation value of these areas.
4. **Local and Neighbourhood Centres** – Identification of the various neighbourhood centres within the Plan Area and the type of units present including vacancies. Perhaps to include a survey of users and businesses perceptions of the centre and its facilities.
5. **Local Green Spaces** – Identification of the various green space areas within the Neighbourhood Plan Area including commons land.
6. **Youth Provision** – Feedback from the consultations to date have either not targeted or not reached the youth sector in Malvern. This group could work on engaging with youth groups and organisations in Malvern to get their views and also to assess the amount and suitability of facilities provided for youth within the Neighbourhood Plan area.
7. **Travel and Transport** – Looking in a non-technical way at public transport and in particular issues around cycling, parking, walking and rail services and how these could be improved.
8. **Business and Employment** – Looking at the amount and quality of existing provision for business and employment and what improvements are needed and where.
9. **The Visitor Economy** – Looking at the Tourism facilities provided in the town and how well Malvern promotes itself as a tourist destination.

Each of the above Working Groups will be led by a champion who will help to assist members of the group in undertaking their tasks and who will provide appropriate guidance sources as relevant.

We would like to thank you for your interest in this important project and hope that you are still able to take part. We are hoping to hold the first meetings of these working groups during the last week in November.

Please could you indicate, in order, your top three preferences of the 9 topics listed above in which you would like to be involved and also let us know if you have any particular skills or experience in

any of the areas? If you could also tell us about your availability to attend meetings i.e. daytimes or evenings that would be extremely helpful when scheduling the meetings.

We look forward to meeting you all and working together on this important plan for Malvern.

Best wishes

Malvern's Neighbourhood Plan Team

PRESS RELEASE

NEW HOUSING IN MALVERN – IT'S MALVERN'S FUTURE HAVE YOUR SAY ON DESIGN

MALVERN NEIGHBOURHOOD PLANNING DESIGN GROUP

Malvern's future housing numbers and sites are being determined by the South Worcestershire Development Plan, which is now very close to being finalised. Local residents cannot change these, but you can get involved to influence the design of the sites and the houses within them. Neighbourhood Plans allow local communities to shape new development and this is your opportunity to get involved.

Workshops are being run by Malvern's Neighbourhood Planning Design Group to discuss and develop what you, as local residents want to see on these new sites. Have your say on Malvern's future and ensure that these new sites reflect and reinforce Malvern's local distinctiveness and character.

The workshops will be using ideas developed by Prince Charles who is well known for his passion for good design. He has called his ideas BIMBY – Beauty in my Back Yard. Malvern is a beautiful area and by getting involved, you can ensure that it remains this way into the future.

The first Workshop is on Friday 8 January 2016 at Great Malvern Library and will run from 10.00am until 1.00pm.

Please contact Clare Lawrence at Malvern Town Council on 01684 566667 or clawrence@malvern-tc.org.uk if you wish to attend. Clare will also be able to give you more information on this project.

**MALVERN NP – STRATEGIC PLANNING WORKING PARTY COUNCILLOR COMMENTS
AND RESPONSE (JUNE 2017)**

Malvern NP – Strategic Planning Working Party Councillor comments

Cllr Jenny Caine

Comment	Response	Action
<p>Whilst an extremely long and detailed document, I do think that this is fit for purpose.</p>	<p>Noted.</p>	<p>N/A</p>
<p>However, I do think that there is a requirement for a summary document to be produced with salient points for future reference and public use.</p>	<p>A summary document can be produced as part of the consultation process. However, it is important to understand that the NP is the document, under the Regulations, that will be consulted on, examined and ultimately if 'made' (adopted) be used to assess planning applications (along with the SWDP) within the town council area in the future.</p>	<p>Discuss with the TC the requirements for a summary document.</p>
<p>In addition it must be for guidance but with the footnote that as the area evolves some policies and recommendations will become obsolete whilst new areas will need to be introduced. This must be presented as a positive document for the area.</p>	<p>The NP will form part of the statutory development plan in which decisions on future planning applications (along with the SWDP) will be based. It is therefore more than just guidance. If it is considered that policies need to be amended, removed or added this can only be done through a formal review of the plan including having the necessary evidence, consultation and examination of the NP.</p>	<p>N/A</p>

Clr Lynne Lambeth

Comment	Response	Action
I am satisfied with the document and that it is fit for purpose.	Noted.	N/A
Essentially it provides comprehensive information and analysis as a framework for future plans and actions.	Noted.	N/A
It should be present at, and used as a reference by, all committees, but not preclude future additions or other interpretations as a 'live document'.	If it is considered that policies need to be amended, removed or added this can only be done through a formal review of the plan including having the necessary evidence, consultation and examination of the NP.	N/A
Great care should be taken to communicate the content to the public, using different and inclusive methods and media.	Agreed.	Discuss the consultation and communication strategy with the TC.

Clr Clive Smith

Comment	Response	Action
Believes it is fit for purpose.	Noted.	N/A

Clr Pat Mewton

Comment	Response	Action
<p>We will need two versions of this document, one for the planners, and in its current format it would suit the need, however we will also need a more user friendly one for the public. The public document should not include all the references to other documents but rather concentrate on the Policies and the Visions and Objectives.</p> <p>The public document should also make the policies clearer in a more simplistic manner and include better A3 sized coloured maps and photographs with artist's impressions to show what could be achieved and what we would like to see.</p>	<p>A summary more user friendly document can be produced as part of the consultation process. However, it is important to understand that the NP is the document, under the Regulations, that will be consulted on, examined and ultimately if 'made' (adopted) be used to assess planning applications (along with the SWDP) within the town council area in the future.</p>	<p>Discuss with the TC the requirements for a summary document and other material for the purposes of consulting and engaging with the community.</p>
<p>We also need to define what type of housing we would like to see on development site, with a clear distinction being made between AFFORDABLE Housing and SOCIAL Housing.</p>	<p>The definition of affordable housing needs to be consistent with the national definition. In that regard this is currently being amended by the Government to include starter homes. I agree that there is a distinction between affordable market housing and social housing. The requirement to demonstrate proposals are meeting local need is included within Policy MH1: Housing Mix. This would include market and social housing. In terms of 'what type of housing you would like to see on a development site' this would need to be substantiated by evidence. In this regard a Housing Needs Assessment has been produced by AECOM through Locality technical support. This document is referred to under policy MH1 and the key conclusions are summarised in the supporting text to the policy. The requirement for</p>	<p>Add definition in glossary.</p>

	affordable (social) housing is included within the SWDP at policy SWDP15: Meeting Affordable Housing Needs. The NP does not include a policy on affordable (social) housing as it is considered that there were no additional requirements to that policy for this NPA that could be substantiated by evidence. Therefore, the requirement for affordable (social) housing will continue to rest with Policy SWDP15.	
Contents Pages: Are ok but not all would be required in the Public's version.		
1. Introduction - Needs condensing for the Public version.	Agree.	Discuss with the TC the requirements for a summary document.
2. Planning Policy Context - Not required for public version.	Agree.	Discuss with the TC the requirements for a summary document.
3. Malvern Neighbourhood Area Issues and Considerations - Is a bit long-winded and needs condensing.	It is important for the context of the vision, objectives and policies that there is an understanding of the spatial issues to the area. This can be done where relevant.	Discuss with the TC the requirements for a summary document.
4. Visions and Objectives - Drop out words and phrases like <i>There will be</i> . Replace with <i>It is our vision that</i>		Make changes where relevant.
4.3.1. Add at the end the sentence the words, at an affordable price	Agree.	Make change to Objective 1.
In the public version just include the policies themselves; there is no need for the references to other documents and reasoned justifications. We also need to include a definition of what we consider to be AFFORDABLE HOUSING.	A summary more user friendly document can be produced as part of the consultation process. The definition of affordable housing needs to be consistent with the national definition.	Discuss with the TC the requirements for a summary document and other material for the purposes of consulting and engaging with the community.
Policy MH 1 Housing Mix needs expanding to cover larger developments and also include Open market, Social and affordable mix.	The policy applies to any housing development of 5 or more dwellings and therefore covers large developments. The policy seeks to ensure that new housing – general market, affordable market	No change.

<p>Policy MH 2 First sentence remove the words <i>will be supported provided that it and replace with needs to</i>. After SWDP remove words <i>providing it</i>. New Sentence to read <i>New residential development within the settlement boundary of Malvern needs to accord with other relevant policies of the MNP and the SWDP and meets where relevant all of the following criteria:</i></p>	<p>and social housing – meets the local need as identified within the Housing Needs Assessment.</p> <p>Noted.</p>	<p>Will make the necessary change to Policy MH2: ‘New residential development within the settlement boundary of Malvern needs to accord with other relevant policies of the MNP and the SWDP and meets where relevant all of the following criteria.’</p>
<p>Add a new section 6 <i>Housing should include green sustainable features such as Solar Panels and Double glazing.</i></p>	<p>Policy MH2 relates more to the principles of allowing new residential development within the existing built up area of Malvern and the key criteria that need to be met. Policy MD1: Development and Design Principles may be a more appropriate policy for this criterion.</p>	<p>Add criteria 8 to policy MD1 to incorporate sustainable design features: 8. It makes provision for sustainable design by incorporating energy efficiency features and renewable energy generation.</p>
<p>Add new section 7 <i>Sites of over 200 residential properties should also include provision for a Health Centre which include both Doctors and Dental surgeries.</i></p>	<p>There is currently no evidence that substantiates this requirement?</p>	<p>No change.</p>
<p>Add new Section 8 <i>Sites of over 400 residential developments should also include the provision of a small school.</i></p>	<p>There is currently no evidence that substantiates this requirement?</p>	<p>No change.</p>
<p>Policy ME4 Remove the words <i>The Town Council will support</i></p>	<p>Noted.</p>	<p>Amend policy to ‘Proposals to upgrade and/or redevelop parts of the Spring Lane Industrial should include’</p>
<p>Policy MR 1 Needs rewording under no circumstances can we say that Permission will be granted. That is giving the green light to developers for presumptive building. IF the plan is accepted and the Development committee of MHDC refuse permission the developer could then appeal that decision quoting the</p>	<p>Noted.</p>	<p>Amend policy to ‘Proposals for new town centre uses and social, cultural and leisure uses within the NPA’s town and district centres must be of an appropriate scale and meet the requirements of SWDP Policy 10D and E in relation to Primary and Secondary Shopping frontages. In addition, the proposals should not have an unacceptable</p>

<p>Neighbourhood Plan Policy that says Permission will be granted.</p>		<p>adverse impact on the amenities of residents living within or adjacent to the centre’.</p>
<p>Policy MR 2. Needs rewording under no circumstances can we say will be permitted. That is giving the green light to developers for presumptive building. . IF the plan is accepted and the Development committee of MHDC refuse permission the developer could then appeal that decision quoting the Neighbourhood Plan Policy that says will be permitted.</p>	<p>This policy seeks to protect retail uses within identified neighbourhood parades. Applications for a change of use from retail to another use would only be allowed if the criteria in the policy are met. Could remove ‘...uses will be permitted provided it meets...’ to ‘... uses must meet ...’.</p>	<p>Amend the policy to: Proposals for the change of use of units in Use Class A1 9shops) with the NPA’s neighbourhood centres to non-A1 uses must meet the following criteria:</p>
<p>Policy MG 1 Add the word Residential to the beginning of the first paragraph.</p>	<p>I don’t agree that the policy should be limited to residential development. The policy is seeking to protect green space from any development other than that listed within it. Whether the development is for housing, industry, retail, education or health is incidental. The objective is to protect the greenspace.</p>	<p>No change.</p>
<p>Policy MG 2 Add the word Residential after Proposals for.</p>	<p>I don’t agree that the policy should be limited to residential development. The policy is seeking to protect green space from any development other than that listed within it unless the criteria can be met. Whether the development is for housing, industry, retail, education or health is incidental. The objective is to protect the greenspace.</p>	<p>No change.</p>
<p>Policy MG 3 Remove the sentence Developments which uses planting and buildings to help frame these views will be looked on favourably. Third sentence remove all after the word protected.</p>	<p>What is the rationale for removing these sentences?</p>	<p>Make slight amendment to second sentence of policy to: ‘Development should use planting and buildings to help frame these views.’</p>
<p>Policy MG 5 500 square meters is a bit too much we need to reduce the size of the footprint otherwise there will be too large a structure sitting on the edge of the boundary.</p>	<p>Noted. Remove reference to numbers.</p>	<p>Amend the policy to: ‘Development proposals located on sites outside’</p>

<p>The remainder of the document seems to be appropriate but I am not sure if all the charts in the appendices will be required in the document that goes before the public.</p>	<p>Noted.</p>	<p>Discuss with the TC the requirements for a summary document and other material for the purposes of consulting and engaging with the community.</p>
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Cllr Simon Nichols

Comment	Response	Action
<p><u>Local Infrastructure Levy</u></p> <p>If CIL is not implemented I would like to see a Local Infrastructure Levy on all new builds that would contribute to a pot for local infrastructure projects to include health, education, transport and services to provision for the additional population.</p>	<p>There is no provision within the planning legislation for a Local Infrastructure Levy. At section 7 of the NP is listed a number of local projects that S106 payments and/or CIL payments could make contributions towards.</p>	<p>No change.</p>
<p><u>Public adoption of open spaces</u></p> <p>I would like to see all public spaces in developments adopted by the local authority unless the development is gated. No privatisation of space that is accessible to the public.</p>	<p>The NP does not have the authority to mandatorily make the local authority adopt all new public spaces in new developments. There is already greenspace that is privately owned that is used by the public such as the commons. There may be an opportunity to include at Section 7 a project for MTC to enter into negotiations with developers for the ownership, management and responsibility of future greenspaces.</p>	<p>Add at Section 7 MTC to enter into negotiations with developers for the ownership, management and responsibility of future greenspaces.</p>
<p><u>Strategic ring road</u></p> <p>South</p> <p>I would like to see a medium term plan to improve transport links to the south of the town and the areas of the science park and Three Counties Show Ground. This would relieve existing routes along Pickersleigh Rd and around Barnards Green.</p>	<p>The NP can only make proposals within its plan area (i.e. the Town Council area). There is no proposal within the SWDP or the Local Transport Plan for a strategic ring road within or around Malvern.</p> <p>In planning terms proposed by-passes/ring roads are only shown on land use proposals maps once the business case has been made and</p>	<p>Add at Section 7 paragraph 7.15 MTC to lobby for the relevant studies to assess the case for a ring road.</p>

<p>North</p> <p>An Access road into the development at Newlands from the A449 in the vicinity of the Swann Inn at Newlands and heading due west to meet Lower Hoswell Rd in the vicinity of the railway bridge. This should be scaled so that it can be extended through an improved railway crossing and provide access to the area around the North Site development and West Malvern. This would also provide commercial access to new businesses in the Newlands development.</p> <p>Both these additions would relieve congestion on existing residential roads and form a strategic artery opening up access and business accessibility around the town.</p>	<p>consultation on the proposal has taken place. This is not the case here. In my view having a policy and a route on a map within the NP would fail the basic conditions.</p> <p>However, if there is support for such proposals within the community there may be an opportunity to include this within Section 7 under 'Projects'. Paragraph 7.15 identifies a number of potential feasibility projects that could be carried out. The first sub-heading is 'Transport' and the ring road could be added to this list.</p>	
<p><u>No disposal of public assets without first offering to other public bodies.</u></p> <p>I would like to see all land and buildings owned by public bodies to be offered first to other public bodies before being disposed of on the commercial market. The other public bodies should have first refusal at an independently decided valuation. If not taken up then it could not be offered for less publicly. Public bodies included MTC, MHDC, WCC, MHT.</p>	<p>This is not a planning matter. Again the NP has no authority to mandate another public body to do what is suggested. There is the route of designating public land and buildings as Assets of Community Value(ACV) which would ensure that any group is advised of the potential disposal of that asset and time to assemble funds when the asset goes onto the market. Paragraph 7.18 of the NP already refers to MTC facilitating applications to designate facilities as ACV.</p>	<p>No change.</p>
<p><u>No subdivision of existing plots for infill</u></p> <p>There should be no subdivision of existing building plots for infill. Councillor Yates gives some very good reasons that I wholly endorse.</p>	<p>This does not comply with the NPPF or the SWDP and in my view a carte blanche policy such as this would fail the basic conditions.</p> <p>NPPF para 53 does allow LPAs to 'consider the</p>	<p>If this is to be pursued areas within the NPA will need to be identified where MTC consider infill development will have a detrimental impact on the character of the area.</p>

	<p>case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'. If this is going to be pursued then the areas where it would apply will need to be identified and the justification for not allowing infill will need to be made. This may include Conservation Areas. However, you need to be careful here. A policy that states no infill development within a Conservation Area may then restrict development that would help cross subsidise the refurbishment and improvement of a heritage asset (i.e. enabling development).</p>	<p>We will need to look carefully at relevant SWDP policy and also the MHDC Conservation Area appraisals and policies.</p> <p>The Heritage Character Assessment may provide some assistance with this but we may need to discuss with AECOM that this is a possible policy strand that would be supported by the HCA.</p>
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Cllr David Watkins

Comment	Response	Action
Agrees with the points raised from the other Cllrs and has nothing further to add at this stage.	Noted.	N/A

Comment	Response	Action
<p>1 INTRODUCTION Basic issue we should drive SWDP-which was forced on MHDC councilors by planners and MHDC gave into Worcester overspill.</p>	<p>One of the basic conditions on which the Examiner will assess the NP and upon which the NP can proceed to referendum is that the NP must comply with the strategic policies of the local plan (i.e. the SWDP). If it doesn't it will fail the basic conditions and the examination and would not proceed to a referendum. That said the work that has and is being undertaken for the NP should assist MTC in formulating its views on any future review of the SWDP. In my view the process to 'drive the SWDP' is when the combined authorities start to review the SWDP.</p>	<p>No change. MTC officers to keep a record of issues raised that can be used when review of the SWDP takes place.</p>
<p>Need to list changes to inform at SWDP half way review.</p>	<p>As stated above the process of undertaking the NP should assist MTC in formulating its view of any review of the SWDP.</p>	<p>No change.</p>
<p>Thame plan listed options for sites within a target from higher authority-quite different to SWDP.</p>	<p>The South Oxfordshire Cores Strategy was adopted in December 2012 and the Thame NP was made in March 2013. Thus the process of the two plans were running broadly in parallel and therefore the Thame NP could, and the Core Strategy allowed for it, identify sites to meet the requirement within the Core Strategy. That said, the Core Strategy identifies strategic housing allocations of 2,300 houses to the edge of Didcot (a population of only 25,000) to help meet it housing requirements. In this case the SWDP is adopted and the NP must comply with the strategic policies within it to</p>	<p>No change.</p>

Proportionate community engagement –what does this pc waffle mean.	meet one of the basic conditions. Community consultation should be proportionate to the nature of the plans being prepared, the stage reached in plan making and the impact of the plan and its policies on the wider community.	Delete the word proportionate.
1.9 very little Feedback to MTC Councillors during 3 years-hence why many underwhelmed by this rambling document.	Noted.	The management of the production of the NP was delegated to the NP Working Party. All Councillors were asked if they wished to be involved.
1.11 Where are the results of this engagement and why never discussed with council as a whole.	Noted.	MTC Officers have advised that there has been a long process of group work and consultation which all Councillors could at any time take part in. It is not a MTC Plan but a plan for Malvern.
1.16 has consideration been given to joint plan with both Wells and West as contiguous-see map at end of section-only separate as an error of the treatment of the unparished parts of Malvern when MHDC formed from MUDG.	MTC applied for the town council area to be designated as the plan area. This has been formally accepted by MHDC. I'm not aware of whether there were any discussions with adjoining parishes at the time.	The Neighbourhood Plan Area was agreed by MTC Full Council on 6 May 2014.
1.18 What extensive consultation????	This paragraph refers to the consultation listed at para 1.12 and the forthcoming Regulation 14 consultation on the draft NP to be carried out by MTC.	No change.
1.19 Where is evidence base –certainly not in this report?	There is an Evidence Base Report produced in July 2016 and updated in March 2017.	No change.
2 PLANNING POLICY CONTEXT Could apply anywhere –bland	This section is intentionally generic. It is summarising the key tenants of national planning policy and providing the context for neighbourhood planning. The second part of the section relates to the SWDP strategic policies. This section helps to demonstrate that both the NPPF and the SWDP have been taken into consideration	No change.

<p>3 MALVERN NEIGHBOURHOOD AREA</p> <p>Lack of information on radar-solid state electronics-lcd- Digital work cyber security. Lack of comment on education. Very little on arts –that make town attractive to inwards migrants.</p>	<p>in drawing up of the NP.</p>	
<p>3.7 Birchwood Drive a regional wild life –anyone visited it ??????</p>	<p>Noted. This can be included at para 3.5.</p>	<p>Add to para 3.5.</p>
<p>3.12 Looks like another piece of desk research.</p>	<p>This is a designated Site of Regional or Local Wildlife Importance. The NP does not comment on the condition of any of the sites. It merely notes those sites that have a nature conservation designation and where they therefore have some protection within existing national and local planning policy.</p>	<p>No change.</p>
<p>3.28 Conservation areas need examples /features within in them.</p>	<p>This relates to the Strategic Flood Risk Assessment which uses data from a variety of sources.</p> <p>There are Appraisal and Management Strategies for each of the three conservation areas produced by MHDC (the body with statutory responsibility for designating and managing conservation areas). Although dated, the NP does not seek to repeat the wealth of information that is contained within these documents. However, paras 3.31-3.36 does refer to these documents and some salient issues of relevance to the NP.</p>	<p>No change.</p>
<p>3.45 Link top missing.</p>	<p>In what context is Link Top missing?</p>	<p>Await further comment.</p>
<p>3.47 When was this discussed with local members for Link?????</p>	<p>The general consensus here relates to the feedback from traders.</p>	<p>No change.</p>
<p>3.55 Theses parades are very different in practice.</p>	<p>Agreed. They may be different in terms of being purpose built or converted units, altogether or split within a smaller area. However, the all provide a local amenity of importance to the community in which they sit.</p>	<p>No change.</p>

3.58 Lack of comment on QQ as key development site.	Please expand on what commentary should be added here?	Await further comment.
3.60 More waffle –what does it mean in practice.	NPPF para 22 states ‘planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose’. Through our evidence base and engagement work we understand that there is concern around the loss of the employment allocations within the SWDP particularly in the context of the loss of the employment land at the DERA North site. There was a desire for the NP to attempt to deal with this point. This is picked up in Policy ME1 ‘Protecting Employment Allocations’.	No change.
3.65 Need clear split between social housing and affordable for outright purchase Personally would suggest 20% social, 20 % low cost outright purchase Note currently about 18% social.	I assume this should be a 20:80 split? We would need evidence to support this split as the plan must be evidence-based.	Await further comment.
3.71 Yes and should be usp for area given figures and provides need for domiciliary work as well as medical.	There is clear evidence of a growing elderly population which has specific needs for development and infrastructure. However, there is still a need for general housing which can't be ignored. Policy MH1 ‘Housing Mix’ seeks to ensure the appropriate balance of new housing to meet need in the future.	No change.
4 VISION AND STRATEGY Both are too bland and not Malvern specific Need re writing	Please elaborate?	Await further comment.
6 POLICIES MH1 Confuses social with affordable.	The policy seeks to ensure that future housing developments provide the type of housing, both market and social, that is needed. A Housing	Add definition of affordable housing in glossary.

	Needs Assessment has been undertaken by AECOM (as part of Locality's Technical Support) to provide information on need. The policy requires a 'Local Housing Provision Statement' to be submitted to demonstrate how the proposal meets need in the area. The need relates to social, market and specialist housing.	
MH2 Bland –needs to be aspirational and Malvern specific.	Please elaborate on what changes you would make to the policy? This is a criteria based policy relating to the key factors that need to be considered in relation to new housing development. There are other policies that would also apply such as policy MID1 'Development and Design Principles' which will be supported by a Heritage Character Assessment.	Await further comment.
ME1 Means what –more waffle.	As stated above this policy seeks to ensure the protection of the proposed employment allocations within the SWDP for employment use rather than residential. This is an attempt to prevent what happened at DERA North site.	No change.
ME2 Bland again-surely need to push these.	An issue that was raised from the employment working group and other evidence is the need within Malvern for facilities for small scale starter businesses. This policy seeks to support in principle proposals for developments that would provide accommodation for these businesses.	No change.
ME3 More yawn yawn.	This policy is in three parts and relates to the land that is currently designated employment land which provides the bulk of the jobs and economic development within the plan area. The first part supports in principle, subject to criteria, the development of employment related uses. The second part seeks to protect, unless specific	No change.

	criteria are fulfilled, existing employment uses on employment sites from being lost to non-employment related uses. The third part acknowledges that there are already established non-employment uses on some employment sites and this policy allows, subject to certain criteria, the replacement of these uses.	
ME4 At least it's positive.	Noted.	No change.
MR1 What about mention of TIC.	In what context should the TIC be mentioned?	Await further comment.
MR2 Need to define uses –planner speak.	The non-A1 uses can be included within the Reasoned Justification under the policy.	Add definition of terms in glossary.
MR3 Key issue --make specific-link to LTP4.	There is no policy MR3?	Await further comment.
MI2 What does where appropriate mean!!!	Development could range from a house extension through to a nuclear power station. It would not be appropriate for an extension to a house to contribute towards infrastructure provision. However, a retail development within the town centre will be subject to CIL.	No change.
MI3 Agree –but why waffle on nimby opposition.	The criteria are there to avoid harmful impacts from new telecommunications infrastructure on people's amenities and the character of the area.	No change.
MT1 Motherhood and apple pie.	This policy sets out criteria in relation to access and accessibility for major new developments. It seeks to make sure that these factors are taken into consideration by developers and the LPA.	No change.
MT2 Agree –but why offers blocks.	There is no reference to offering blocks in the policy? Please would you clarify?	Await further comment.
MT4 Agree, but does not reflect national significance of this listed station.	The policy could include an additional criteria that relates to the Grade II listed building and its setting.	Amend criteria 3 to 'It is of high quality and sustainable design appropriate to the Grade II listed heritage asset and its setting and it provides improvements to the public realm and townscape within this part of the Conservation Area'.
MT5 Yes –let's do it-delete criteria-there is only 1	Yes, there is only one site. However, the criteria	No change.

site !!!!!	are there to help guide developers and the LPA in producing and assessing proposals that come forward within this Opportunity Area.	
MG1 No mention of Malvern Hills trust or AONB.	First line of the Reasoned Justification mentions the Hills and Commons. In line with the NPPF the Local Green Space designation is aimed at greenspace and open space within the settlement rather than that within the countryside.	Amend relevant text to Malvern Hills Trust.
MG2 More waffle on criteria.	The criteria are there to help guide developers and the LPA in producing and assessing proposals that come forward on Neighbourhood Greenspaces.	No change.
MG5 Did SWDP take landscape into account when choosing it sites –I think not?	That is a question to ask the combined authorities.	No change.
MHE1 Surely standard planning stuff. What about Malvern heritage.	At present there are national and local (SWDP) policies that protect designated heritage assets (listed buildings, conservation areas, scheduled monuments, etc) to which there are many in Malvern. There are also many non-designated heritage assets within Malvern that don't currently have a dedicated policy that seeks to protect them. This policy attempts to do that. In parallel with the NP, MTC and the heritage working group have compiled an initial list of buildings and structures to be designated on MHDC's local list. This list can be added to through the nominations procedure to MHDC and will be an on-going process.	No change.
MC1 Another bit of standard blurb.	We do not at present have any evidence that states what the community facility needs are arising from new residential development. Instead of being silent on the issue the policy seeks the provision of community facilities where applicable	No change.

	<p>and possible. It may be in the future there is evidence to demonstrate the need and this policy can then be employed to ensure the provision of the appropriate facilities. The second part of the policy seeks to protect existing community facilities from being lost to development unless certain criteria are met. It is considered better to have this policy than not.</p>	
<p>MD1 Very important. Needs making Malvern and conservation area specific.</p>	<p>A Heritage Character Assessment is being undertaken for the plan area which will support this policy. There are already national and local policies (along with appraisal and management strategies) that protect the character and appearance of the conservation areas within the plan area.</p>	<p>No change.</p>
<p>MC1 The obvious again. MD1,2,3 Again critical But need to be strengthened and made Malvern specific Particularly: Centre of Great Malvern Conservation areas.</p>	<p>Please elaborate? A Heritage Character Assessment is being undertaken for the plan area which will support these policies. There are already national and local policies (along with appraisal and management strategies) that protect the character and appearance of the conservation areas within the plan area.</p>	<p>Await further comment. No change.</p>
<p>OVERALL VISION FOR MALVERN TOWN A town where people aspire to live in. One of the most preferred locations in Worcs and the Midlands [to reflect a difference from Worcester and say Redditch].</p>	<p>This can be incorporated into the Vision.</p>	<p>Amend the Vision to incorporate suggestions.</p>
<p>Defend setting amongst an AONB.</p>	<p>Only a small portion of the plan area is in the AONB. The AONB is protected by national and local planning policies. It was considered, in policy terms, there was no more that the NP could add in relation to this designation.</p>	<p>Amend the Vision to incorporate suggestions.</p>

<p>Defend a hard won heritage.</p>	<p>The heritage within Malvern is widely recognised through the designated Conservation Areas, 200 listed buildings and three scheduled ancient monuments that lie within it. The NP recognises that there is more heritage that does not benefit from these policies and puts forward a policy that seeks to protect these. In parallel the heritage working group has nominated an initial list of buildings and structures to be designated on MHDC's local list as non-designated heritage assets.</p>	<p>Amend the Vision to incorporate suggestions.</p>
<p>Build upon origins as a Spa Town-not sure Spa town mentioned anywhere. Ensure the quality of Great Malvern reflected in adjacent suburbs. No more bog standard estates please.</p>	<p>Section 3 mentions in relation to its historical development that Malvern was a spa town and much development coincided with this. The design related policies along with the Heritage Character Assessment seek to ensure that new development responds and reflects the positive attributes of the area.</p>	<p>Amend the Vision to incorporate suggestions.</p>
<p>ECONOMY Build upon technological and cultural background AONB Setting Elgar and Music Radar and electronics Digital industries Intellectual industries Education –private and Public And Services and specialisms to support an older population. Reflect growth due to inward migration of 40 plus who aspire to live here Report misses dependency on inward migration. Benefit from being part of successful and fast</p>	<p>Noted.</p>	<p>Amend the Vision to incorporate suggestions.</p>

growing Worcestershire. Benefit from expertise and innovation in care for elderly. Support as a key factor in attraction of area.			
CURRENT RISKS			
Planning free for all.	Noted. Planning decisions are based on the policies within up-to-date development plans and the NPPF. There is now an adopted SWDP. A NP, once made, will also form part of the statutory development plan for the plan area.	No change.	
SWDP poor and ineffectual.	Noted. The review of the SWDP will be the process and forum to try to influence changes to it.	No change.	
Infrastructure before development.	Policy MI1 'Infrastructure and Development' attempts to deal with this issue.	No change.	
Lack of aspiration in new developments.	Policy MD1 'Development and Design Principles' attempts to deal with this issue.	No change.	
Where are conservation areas of tomorrow? Can we be proud of new developments? [see last blocks of flats going up at Malvern vale].	The NP can influence the design of new development and has policies which seek to do that.	No change.	
Confusion on affordable housing Dumbing down of aspiration Should be up to 20% of true social housing.	The definition of affordable housing is consistent with the government's definition which relates to social rent and shared ownership housing. This is currently being amended by the government to include low cost market housing / starter homes. Where does the 20% figure come from?	Add definition in glossary. Await further comment.	
Need to specify future expansion, if any, beyond SWDP. Should be up to 20% low cost outright purchase.	if we are to make proposals beyond the SWDP time period we will need the evidence to justify it.	Await further comment.	
Danger of being a Worcester Overspill as reflected in SWDP.	Malvern and Worcester are closely connected. However, much of the growth proposed in Malvern is to enable the town to continue to be a viable and sustainable place to live, work and	No change.	

	visit.		
Senior state schools need to become outstanding	Not a land use planning matter.	No change.	
More progress on expanding Science Park at former QQ site.	The SWDP allocates employment land at QQ which the NP seeks to protect through the lifetime for the plan. Delivery of development of the site will be up to the landowners.	No change.	
Need to improve WR hospital and defend Malvern hospital.	These are not land use planning matters.	No change.	
Lack of influence of civic society and others etc. in defending quality of new investment.	The NP process is one mechanism for the local community to attempt to influence the quality of their environment.	No change.	
Need to be part review of SWDP at halfway stage [2006 to 2030].	This will be up to the combine authorities.	No change.	
5 YEAR PLAN			
Secure /support Carrington Bridge as access to Motorway.	The NP cannot influence matters that are outside the plan area. However, there are other forums/processes where MTC can put forward arguments for transport infrastructure improvements such as the LTP, the SWDP Review, etc.	No change.	
Improve alternative route to Great Malvern avoiding Malvern Link [Powick-? End –Barnards green].	This is no proposal within the LTP to create a new or enhance route to Great Malvern. In planning terms proposed roads/routes are only shown on land use proposals maps once the business case has been made and consultation on the proposal has taken place. This is not the case here. In my view having a policy and a route on a map within the NP would fail the basic conditions. However, if there is support for such proposals within the community there may be an opportunity to include this within Section 7 under	Add at Section 7 paragraph 7.15 MTC to lobby for the relevant studies to assess the case for this route.	

	<p>'Projects'. Paragraph 7.15 identifies a number of potential feasibility projects that could be carried out. The first sub-heading is 'Transport' and the ring road could be added to this list.</p> <p>This is no proposal within the LTP to extend Townsend Way.</p> <p>In planning terms proposed roads/routes are only shown on land use proposals maps once the business case has been made and consultation on the proposal has taken place. This is not the case here. In my view having a policy and a route on a map within the NP would fail the basic conditions.</p> <p>However, if there is support for such proposals within the community there may be an opportunity to include this within Section 7 under 'Projects'. Paragraph 7.15 identifies a number of potential feasibility projects that could be carried out. The first sub-heading is 'Transport' and the ring road could be added to this list.</p>	
<p>Plan to extend Townsend Way round Barnards Green to Science Park and 3c showground.</p>	<p>Not a land use planning matter. Item 1.29 min 6 of the MTC Full Council meeting on 05/04/16 resolved that a list ne compiled of then issues identified outside of the remit of the NP which should be submitted to a meeting of the P&R Committee later in the year for discussion of how best to proceed.</p>	<p>Add at Section 7 paragraph 7.15 MTC to lobby for the relevant studies to assess the case for this route.</p>
<p>Improve rail services.</p>	<p>Where?</p> <p>Not a land use planning matter. Item 1.29 min 6 of the MTC Full Council meeting on 05/04/16 resolved that a list ne compiled of then issues identified outside of the remit of the NP which should be submitted to a meeting of the P&R Committee later in the year for discussion of how best to proceed.</p>	<p>No change. On list of non-NP issues for MTC to bring forward.</p>
<p>Create more car parking at Malvern Link. Buses use link and Morrisons as hub.</p>	<p>Where?</p> <p>Not a land use planning matter. Item 1.29 min 6 of the MTC Full Council meeting on 05/04/16 resolved that a list ne compiled of then issues identified outside of the remit of the NP which</p>	<p>Await further comment. No change. On list of non-NP issues for MTC to bring forward.</p>

	should be submitted to a meeting of the P&R Committee later in the year for discussion of how best to proceed.	
Extended use of dial a ride for feeder services.	Not a land use planning matter. Item 1.29 min 6 of the MTC Full Council meeting on 05/04/16 resolved that a list ne compiled of then issues identified outside of the remit of the NP which should be submitted to a meeting of the P&R Committee later in the year for discussion of how best to proceed.	No change. On list of non-NP issues for MTC to bring forward.
Improved broadband—to enable work live arrangements	Policy M13 'High Quality Communications Infrastructure' supports the provision of high speed broadband within the plan area. Policy ME2 'Provision of Small Scale Employment Development' supports, in principle, the provision of live-work units.	No change.
Support people for bring work back to area	The NP can only deal with land use issues within the plan area. It has policies which support the provision and protection of employment land to create and protect jobs. Other non-land use based initiatives such as training, apprenticeships, grants, etc will have to be sought elsewhere.	No change.
Support facilities for businesses that are winners New technology –such as cyber/digital building on radar etc. Businesses that like to be here and can attract qualified employees [note risk from State senior education and Wrh hospital capacity and reputation]. Heritage and tourist businesses such as Morgan.	The NP can only deal with land use issues within the plan area. It has policies which support the provision and protection of employment land to create and protect jobs. Other non-land use based initiatives such as training, apprenticeships, grants, etc will have to be sought elsewhere.	No change.
Demand new developments are more like Poundbury and less North site like [current barrack blocks being built –truly awful]	I'm not sure, in the context of Malvern's built and natural character, Poundbury is correct either. New development should reflect and respond to	No change.

	the positive characteristics and attributes of Malvern. This is the requirement of policy MID1 'Development and Design Principles' which will be supported by a Heritage Character Assessment for the plan area.	
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Cllr Roger Yates

Comment	Response	Action
<p>General comments</p> <p>My problem is that all plans seem to be ignored, or the many accidental, deliberate, or legally “correct” loopholes and vaguenesses in them exploited to secure a pre-determined outcome. The old hospital buildings, Portland House and Priory Road developments are examples of this, as was the decision on the old wall in Thorngrove Road. SWDP 56 says NE Malvern will have (inter alia) a primary school and a cemetery – what is the point of these plans if they can be ignored at whim or set aside when proper research and information is elicited?</p>	<p>Noted.</p>	<p>No change.</p>
<p>Overall, this draft Plan is too bland, subservient and forelock-tugging, especially in the first 2/3 or so redeems what has gone before. The language is not that of an empowered and autonomous local authority asserting its will on how the Town it represents (exclusively) should evolve, particularly in the key area of housing development. It is full of loopholes, exceptions, evasions and unclarities and reads like a typical planning document for interpretation by planners to enable them to secure a result desired by them. It needs to be sharpened up, to remove hostages to fortune (like “will support” such and such) and contain more precise requirements on the conduct</p>	<p>In terms of planning MTC does not represent the town exclusively. MHDC will remain the statutory authority with responsibility for making decisions on planning applications. The neighbourhood plan process allows for local communities to have a greater say on planning matters within their area. However, there are strict parameters (i.e. the basic conditions) which the NP must adhere to including complying with the strategic policies of the SWDP.</p> <p>There are cases where the lack of rigidity in policy wording works in the decision taker and the community’s favour.</p> <p>From my experience of writing other NPs Examiners</p>	<p>Amend all policy wording from ‘should, etc.’ to ‘will, etc.’.</p>

<p>required of developers – if St Ives Town Council can do it (and have their view upheld in the courts) then so can we! The SWDP, for instance states that planning applications that accord with the Neighbourhood Plan will be approved – what an opportunity that presents!</p> <p>Too often, open-ended requirements are introduced like, “must demonstrate”; “will be required”; “will seek to ensure”; “keen to ensure” etc, without any indication as to, to whom or by whom.</p>	<p>have amended phrases such as ‘will’ and ‘must’ to ‘should’. However, I will change all relevant wording within policy text as suggested.</p>	
<p>The silence on so-called “affordable housing” is deafening, as an unknowing government machine – denying local knowledge and circumstances – crashes about with one-size fits all solutions (another one – unmentioned in the draft Plan – is on the table) and none of which seem to recognise or deal with the real hardship of people at the bottom of the so-called pile.</p>	<p>These requirements can be used by MTC and the local community in representations on planning applications to the LPA. They should be used by developers in demonstrating that there proposals meet the requirements of the statutory development plan. And they will be used by the LPA as the statutory body for making decisions on planning applications.</p> <p>The NP includes policy MH1 ‘Housing Mix’ which seeks to ensure that new housing (social and market) meets local need. This is supported by a Housing Needs Assessment which highlights the need across all sectors including specialist care within the plan area. The policy requires applicants to submit a Local Housing Provision Statement to demonstrate how their proposal meets the local housing need. The SWDP includes at policy 15 the requirements for affordable housing provision for new development. It was considered, in light of the available evidence, that there the NP had nothing to add to SWDP policy 15.</p>	<p>No change.</p>
<p>The current location and exercise of power is not recognised eg the NHS, County and district councils, and government agencies, who all – as needs dictate – seem to select the most desirable to them solution from a plethora of vague plans. The opportunity for MTC to seize some of this power and control events is not taken but instead we are inveigled with</p>	<p>The neighbourhood plan process allows for local communities to have a greater say on <u>planning matters</u> within their area. However, there are strict parameters (i.e. the basic conditions) which the NP must adhere to including complying with the strategic policies of the SWDP.</p> <p>The NP process does not change the decision-taking process with MHDC remaining the statutory body for</p>	<p>Add definition of affordable housing in glossary.</p>
		<p>No change.</p>

<p>accepting passively the role of suggesting or hoping that such and such should or will happen to organisations who believe MTC is irrelevant, has little or nothing to contribute, and can safety be ignored once the formulaic act of consultation is done.</p>	<p>making decisions on planning applications</p>	
<p>Detailed general comments Highway users – as in the LTP4 draft – seem limited to some vehicular traffic, pedestrians and cyclists. What about horse-riders (and legal bridleways), elderly “chariots”, tractors and the pram-walk? Until almost the end of the draft Plan there are no references to the need to have regard to mobility issues connected with disabled and/or elderly people. There is no mention of the current Housing Consultation paper and the proposal to abolish CIL, replace it with LIT and re-define section 106 rules. Given that the draft Plan is a consultation document intended ultimately for lay-people we should explain in English what the various technical terms in (eg) Use Classes actually mean. There is no reference to a valuable proposition which I believe was raised and recorded that green spaces should (except where clearly private like a garden) be in public ownership and be retained and managed as such.</p>	<p>Policy MD2 ‘Development and Accessibility Principles’ deals with mobility issues. Will include a section on ‘transport considerations’ within Section 3. The outcome of these proposals can be incorporated in a future version of the NP. We can include a glossary.</p>	<p>Add section on ‘Transport Considerations’ in Section 3. To add in later versions of the NP once resolved. Include terms in glossary.</p>
	<p>The NP does not have the authority to mandatorily make a public body adopt all new public spaces in new developments. And it is not possible to make owners of privately controlled greenspace (i.e. Malvern FC, Malvern CC, etc) sell their land to a public body. The issue is more about management and access to greenspace than ownership. There is already greenspace that is privately owned that is used by the public such as the commons. There may be an</p>	<p>Add at Section 7 MTC to enter into negotiations with developers for the ownership, management and responsibility of future greenspaces.</p>

<p>There is loose language in all the various plans and draft plans that are on the table as to what is meant by "Town Centre". This is too often used ignorantly or carelessly to refer to Great Malvern, which can also be an informal title which is meant to mean Malvern (and might even include Malvern Wells, Little Malvern and West Malvern). The same problem arises in relation to the "settlement" of Malvern; is it the area administered by Malvern Town Council (which, incidentally, does not include parts of the NE development area) or a lesser area (a per the CIL plan produced at the statutory hearing at the last minute). Simply, there is lack of clarity – see paras 6.3.1; 6.3.4 and Policy MR1.</p>	<p>opportunity to include at Section 7 a project for MTC to enter into negotiations with developers for the ownership, management and responsibility of future greenspaces.</p> <p>The Town Centre as referred to in the NP is as defined on the SWDP proposals map. The settlement of Malvern is that which is defined again on the SWDP proposals map and in the main consists of the built up area.</p> <p>These areas will become clear when the Key Diagram and various figures referred to in the NP are produced.</p>	<p>Key Diagram and Figures within a next draft of the NP will show the areas referred to in the text.</p>
<p>Why is there no mention of MTC's stated aim to get a discussion going about a crematorium in Malvern?</p>	<p>This can be included if it is MTC's objective and there is a site identified. I understand no site has been identified at present.</p>	<p>Include this under the list of projects in Section 7.</p>
<p>Detailed comments</p>		
<p>Para 1.1 Split infinitive – "to better shape" should be "better to shape"</p>	<p>Noted. Although it is a split infinitive I believe the alternative wording appears confusing and clumsy.</p>	<p>No change.</p>
<p>Para 1.8 Use of "their" if we are no longer allowed "his or her" then "provide an assessment as to whether the plan meets"</p>	<p>Noted.</p>	<p>Amend as suggested.</p>
<p>Para 2.6 "this" is confusing. Is "this" "the plan" or "the strategic development needs" or "the area"? I guess it means the "strategic development needs". If that is correct, then</p>	<p>Noted and amend.</p>	<p>Amend to 'As a consequence Malvern's community must.'</p>

<p>“this” should be, “they are ...”.</p> <p>Para 3.4 I believe Malvern College is no longer “for boys” – it is now co-ed.</p>	<p>Noted and amend.</p>	<p>Amend to ‘...Malvern College and Malvern St James Girls School.’</p>
<p>Para 3.12 Hastings Road was once water meadows and the eastern end of the road can flood.</p>	<p>This area is not shown on the flood maps within the Strategic Flood Risk Assessment produced in relation to SWDP (see link http://www.swdevelopmentplan.org/wp-content/uploads/2012/12/SFRA_Dec2012_AppA48.pdf)</p>	<p>No change.</p>
<p>Para 3.17 I know this is a quote but when juxtaposed with para 3.15 it actually says that the Malvern Hills should be used for significant development.</p>	<p>That may be the case in relation to agricultural land quality. However, the Hills have other statutory protection through the Malvern Hills Acts and have other land use planning designations such as AONB and SSSI that protect it from development so no need for change.</p>	<p>No change.</p>
<p>Para 3.22 does this take into account the LTP4 Environmental Assessment on (in particular) air quality?</p>	<p>The consultation on LTP4 post-dates the 2016 Air Quality Annual Status Report. Future versions of the Air Quality Annual Status Reports may take the LTP4’s SEA into account.</p>	<p>No change.</p>
<p>Para 3.23 I am surprised “Teme Avenue” is described as “Poundbank”.</p>	<p>Noted and amend.</p>	<p>Delete ‘Poundbank’.</p>
<p>Para 3.25 a general point of a wider application. We know the Conservators have re-named themselves (is it the “Malvern Hills Trust”?) whilst retaining (but not using) their statutory legal title Conservators.</p>	<p>Noted and amend.</p>	<p>Amend ‘Conservators’ to ‘Trust’.</p>
<p>Para 3.29 I am very surprised it says that MHDC designated the Great Malvern Conservation Area in 1969. Surprised because MHDC did not then exist and designation was done by the (former) Worcestershire County Council. I believe it is possible (but memory fades and blurs) that I even drafted the designation order.</p>	<p>Noted and amend.</p>	<p>Delete ‘... by MHDC.’</p>
<p>Para 3.32 “is remnants” – funny phrase.</p>	<p>Noted and amend.</p>	<p>Amend to ‘... is a remnant of ...’</p>

<p>Should it be “is a remnant”?</p> <p>Para 3.44 this might be expanded to contain a ‘plug’ for MTC’s active and determined policy to create and promote new events.</p>	<p>Noted and add.</p>	<p>Add sentence at end ‘This would allow the Town Council and other local organisation to create and promote new events within the Town Centre’.</p>
<p>Para 3.52 the lighting at Christmas has been much improved (and will be copied in the Link) by MTC.</p>	<p>Noted. This information comes directly from the traders group in response to a survey. Add footnote.</p>	<p>Footnote to state ‘Lighting at Christmas has been improved in Barnard’s Green for 2016 by MTC and that Christmas lighting in Malvern Link will be improved for 2017’.</p>
<p>Para 3.65 a definition of what MTC understands to be “affordable housing” should be given here, or somewhere. Also an explanation of the counting methodology – results in the Appendix – eg is there actually any truth in the statement that some residential units are counted only if they have a front door onto the street, but those without, are not? Similarly, is there any truth in the statement that some units are counted with, but not without, housing benefit?</p>	<p>The definition of affordable housing is consistent with the government’s definition which relates to social rent and shared ownership housing. This is currently being amended by the government to include low cost market housing / starter homes.</p> <p>This could be included within a glossary.</p>	<p>Add glossary.</p>
<p>Para 3.67 the proximity of an ever-expanding Worcester University and (despite their own provision) the consequential need for private student accommodation perhaps should be acknowledged.</p>	<p>This issue was not raised in the Housing Needs Assessment. Student households make up an incredibly small proportion of the total household type within the plan area. See Table C3 in Appendix C.</p>	<p>Add reference to student accommodation in text.</p>
<p>Para 3.72 I am confused. I have no doubt this correctly reports the content of SWDP but what is actually happening on the ground is different. Lower Howsell Road now has planning permission; Brook Farm Drive has an application for a greater number of houses; Victoria Road car park being converted to housing ignores the conclusions about parking</p>	<p>As stated in the comment the paragraph is merely summarising the housing allocations within the SWDP. There may well be differences on individual sites and there will be additional windfall sites that will provide additional housing within the plan area.</p> <p>A table in an appendix could be provided to show the current position on these sites.</p>	<p>Add appendix to provide an update on the housing allocations.</p>

<p>to be found elsewhere in the documents (only a spry and agile younger person would consider the Priory Road/Splash car par an adequate substitute!); Lansdowne Crescent is not having 15 dwellings but perpetual submission of care home plans; Portland House and Priory Road are now up in the air; and etc.</p>		
<p>I feel strongly that the factual information should include a list and map of formally and legally registered common land by (I believe) WCC. The Conservators are a bit airy-fairy about this and are not absolutely clear what they own, or what they simply suppose they own (what is the Land Registry for?)</p>	<p>A map of all land under the jurisdiction of the MHT is available within the Land Management Plan produced by the MHT. A copy of this could be included within an appendix to the NP.</p>	<p>Add map of MHT land in Appendix.</p>
<p>I also feel another conspicuous absentee is any reference to the (new) community hospital – the control and management of which seems wholly outside the Neighbourhood Plan and yet (and with GP and other health services) is integral to a town with an elderly and aging population and with a lot of care/nursing/wardened living units. Simply consulting about this is not enough. It beggars belief that at a time when over a thousand new homes are planned for Malvern, the NHS should be contemplating a reduction of beds at the hospital and to compound their indifference to the society in which the hospital is located can peremptorily close the minor injuries unit to bail out a miserable and failing hospital in Worcester.</p>	<p>The control and management of the hospital is not a planning matter. The NP includes a policy (policy MC1) which seeks the provision of community facilities where appropriate. In addition policy MC2 'Healthy Communities' seeks to ensure that there is sufficient capacity in GP and dental services for new development and that new development makes opportunities to improve health and well-being.</p>	<p>No change.</p>
<p>Para 4.3 para 9 surely we do not mean to "protect the loss" – we don't want any loss.</p>	<p>Noted and amend.</p>	<p>Remove the word 'the loss'.</p>

Should the word “against” be introduced somewhere?		
Para 5.3 I have been repeatedly told that there are also serious capacity issues in relation to sewerage and surface water drainage.	Are you able to provide or point me to the relevant evidence please?	Await further comment.
Para 5.4 the word ‘infill’ always chills me – it is the key to a developer and planning officer utopia. If we accept – and elsewhere we seem to – that the gardens and private open spaces are an integral part of Malvern’s environment, greenness and charm then we should not tolerate infill development by people who have grown too old/fed up with their gardens, who decide to leave or downsize, and seek to destroy the very amenities they have enjoyed by building on their plots and/or accepting consequential financial rewards. The lust for more housing is driving damaging irresponsibility and greed which has little or no thought for the inevitable and ultimate destruction of a treasured environment. My recollection is that fear to enforce this issue would render the designation of a conservation area futile and was a major factor in the decision of whether or not to designate the Great Malvern Conservation Area. Benefit of the doubt won.	This does not comply with the NPPF or the SWDP and in my view a carte blanche policy such as this would fail the basic conditions. NPPF para 53 does allow LPAs to ‘consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area’. If this is going to be pursued then the areas where it would apply will need to be identified and the justification for not allowing infill will need to be made. This may include Conservation Areas. However, you need to be careful here. A policy that states no infill development within a Conservation Area may then restrict development that would help cross subsidise the refurbishment and improvement of a heritage asset (i.e. enabling development).	If this is to be pursued areas within the NPA will need to be identified where MTC consider infill development will have a detrimental impact on the character of the area. We will need to look carefully at relevant SWDP policy and also the MHDC Conservation Area appraisals and policies. The Heritage Character Assessment may provide some assistance with this but we may need to discuss with AECOM that this is a possible policy strand that would be supported by the HCA.
Para 5.5 I find even more chilling the cosy word “windfall” with its connotations of a pleasant surprise which is unavoidable. If what I have just described comes within the meaning of “windfall”, or opens the door to speculation like the off-Chance Lane strategy then we	NPPF allows for windfall developments to contribute towards the housing land supply over the long term. There can be benefits to windfall development coming forward for example an industrial use within a residential area that has caused amenity and nuisance issues to local residents being redeveloped for housing.	Amend second sentence to ‘Windfall sites will be subject to rigorous scrutiny in relation to their scale, impact on their surroundings and their sustainability credentials’.

<p>should never, never say we will support them in principle. Rather we should say we will subject them to rigorous and sceptical scrutiny.</p>	<p>There is an expectation that windfall sites will come forward. Without making provision for them there is a danger of further greenfield land being developed to meet the housing requirements.</p>	
<p>Para 5.9 “railway” not “rail” station (and elsewhere eg 6.5.10). How does the last sentence equate with the proposal to turn Victoria Road car park into a housing estate?</p>	<p>Noted and amend. The Victoria Road car park is a housing allocation within the SWDP and the NP cannot resist that. The NP can though seek to protect the remaining existing car parks. This is dealt with by policy MT2 ‘Car Parking’.</p>	<p>Amend ‘rail station’ to railway station’.</p>
<p>Para 5.11 the LTP4 Environmental Assessment avers that some of the necessary road and infrastructure improvements which are planned will damage views from the Hills but offers no solution. I would delete “most important” (which in any event, begs the question – in whose opinion?)</p>	<p>Noted and amend.</p>	<p>Delete ‘the most’.</p>
<p>Para 5.14 How? Pious hope without legal or budgetary backing.</p>	<p>The NP can provide the land use basis for the protection of community facilities. Funding and other issues lie outside of the scope of the NP.</p>	<p>No change.</p>
<p>Para 5.15 Should “contact” be “context”? Not just road users but all “highway users” including pedestrians, horse-riders, the disabled (including the wholly blind and deaf) as well as motor-cyclists and cyclists.</p>	<p>Noted and amend.</p>	<p>Amend ‘contact’ to context and add ‘and other routes’ after ‘layout of roads’.</p>
<p>Para 6.2.11 Spring Lane’s role as a “key road corridor” from Worcester Road will be severely damaged by the no-right turn proposed in consequence of the NE Malvern development. Should we (can we?) assert some control over the making of traffic orders associated with or consequent upon, development. This is, in fact, a classic example of the points made earlier. A</p>	<p>Traffic orders are the responsibility of the Local Highway Authority.</p>	<p>No change.</p>

<p>key player in the whole matter comes up – out of the blue – with a silly proposal which has little or no relevance to the real life world of Malvern but which is convenient and expedient to them.</p>		
<p>Para 6.3.5 Flat(s) – plural. Policy MR2 para 3 (Neighbourhood Parades) is there a word missing after “adverse”? This somewhat narrow issue raises the wider one – should we, or the District Planning Authority, get control of the too many of the same sort of shop? Eg charity shops; coffee shops; hairdressers? I believe some planning authorities have used powers contained in planning legislation to bring about this state of affairs. Why not in Malvern?</p>	<p>Noted and amend. Noted and amend. If a property has an established use as a shop (A1 Use class) for the sale of clothes there is no planning permission required to use the property for another type of shop such as a charity shop or hairdressers. There is no change of use in planning terms. Where there is a change of use then an application will be required. Policy SWDP 10D and E seeks to protect the main shopping frontages within the town and district centres. If you have examples of other planning authorities please would you provide this and I will have a look at them.</p>	<p>Amend to flats. Add ‘impact’.</p>
<p>6.3.7 Split infinitive – “proactively”</p>	<p>Noted. Although it is a split infinitive I believe the alternative wording appears confusing and clumsy.</p>	<p>No change.</p>
<p>6.4.2 As well as transport we should also specify the number of elderly, the Hills and health facilities and drainage sewerage.</p>	<p>Noted and add.</p>	<p>Add at the end of first sentence ‘ ..., health and social care facilities, sewerage and drainage’.</p>
<p>6.4.3 Section 106, we know, is in line for dramatic change. We know for certain there is a government review and we now know what that review body is recommending.</p>	<p>Noted.</p>	<p>No change</p>
<p>6.4.4 What revenue?</p>	<p>There will be revenue from CIL and S106 agreements and whatever precedes these if they are to be changed.</p>	<p>No change.</p>

<p>6.4.5/MR13 “Town” not “parish” council. Consultation between who and whom – far too vague. Para 3 – on “or in” existing buildings eg church towers and spires.</p>	<p>Noted and amend. Consultation between the applicant/developer and the Next Generation Access (NGA) Network providers.</p>	<p>Amend policy MI3 remove Parish and replace with Town.</p>
<p>6.4.6 Business(es) – plural 6.5 Proposals for new development should also contain – or be conditioned – to give a timescale to ensure their specified works are carried out and completed sooner rather than later. This should be rigorously enforced, without temerity about consequential litigation. Again, what about bridleways? There is an obsession with only pedestrians and cyclists. Car parking – does this include Victoria Road? Para A should have a reference to “currently” used. It should also be made clear that “accessibility” does not mean just by car, but includes as well on foot and the physical effects and constraints of the hilly streets in (particularly) Great Malvern.</p>	<p>Noted and amend. The Infrastructure Delivery Statement required by policy MI1 requests a programme of delivery of the works. In terms of enforcement this is up to the LPA as the statutory body responsible for this. Policy MD2 ‘Development and Accessibility Principles’ addresses issues around wider accessibility.</p>	<p>Change business to businesses. No change.</p>
<p>6.5.4 We need to acknowledge the growing problem of larger cars (eg SUVs) in private use, and (in general) the existence of much larger commercial vehicles (to facilitate motorway use) and the expansion in the number of internet caused delivery vans.</p>	<p>Noted and will add.</p>	<p>Amend paragraph to include new guidance around larger parking spaces.</p>
<p>6.5.7 How will this be done? How will they know land is available? MHDC in Priory Road simply ignored MTC.</p>	<p>A variety of ways including discussion with MHDC and other land owners; representations on MHDC’s car park strategy for the town centre; leasing land to create car parking and redesign of existing car parks to make them more efficient.</p>	<p>No change</p>
<p>6.5.11 All this should be looked at as one with, and in conjunction with Malvern Link</p>	<p>There will be two different opportunity areas identified on the Key Diagram to the NP.</p>	<p>Add text regarding school related traffic and parking.</p>

<p>station and each should not be treated as a separate issue. The effect of Malvern St James school parking by staff and senior pupils should be acknowledged and the general pattern of parking around Great Malvern Station dictates that there should be a consequential review of parking restrictions to prevent (say) all day parking and facilitate short-term stops for (eg) train information and tickets; newspapers etc and (already done) the dental practice in Imperial Road.</p> <p>There is no mention of charging for car parking at either Malvern Link Station (where it has been introduced) and Great Malvern Station (which is free). I understand the train ticket fare is the same from both stations and that this has led to a surge of cars from Malvern Link to the roads around Great Malvern Station. Another example of the sporadic and uncoordinated decision taking by a myopic major player in Malvern.</p>	<p>The issue of the school parking can be mentioned. Any traffic restrictions will need to be made, via the usual process, by the Local Highway Authority.</p> <p>The NP cannot restrict the charging for car parking as this is not a land use planning matter. The Reasoned Justification can mention the desire for free parking but the NP can't insist on it.</p>	<p>On list of non-NP issues for MTC to bring forward.</p>
<p>6.6.4 Demonstrated by when? And then what?</p>	<p>I assume this refers to Policy MG2 'Neighbourhood Green Spaces'. It needs to be demonstrated by the applicant as part of the planning application for the proposed development. If the assessment shows there is a surplus of green space in the area then this criteria is met and development of the NGS could subject to the development satisfying other relevant policies be permitted.</p>	<p>No change.</p>
<p>6.6.6 "Looked on favourably" No! Phrases such as this should be banned everywhere as a hostage to fortune – usually the fortune of a QC! Although there is some</p>	<p>Noted and amend. Policy MD3 'Detailed Design Elements' looks at street lighting. Can include reference to issues of views from</p>	<p>Amend the sentence to 'Development should use planting and buildings to help frame these views'.</p>

<p>acknowledgement of the issue towards the end of the draft, there is a serious issue about street lighting both in terms of the view from the hills, and its effects on flora and fauna. I think it should receive greater prominence.</p>	<p>the Hills and effects on flora and fauna in the Reasoned Justification.</p>	<p>Amend 3rd bullet point under para 6.9.7.</p>
<p>6.6.14 "Are" a number rather than "is" (see next paragraph 6.6.15!)</p>	<p>Noted and amend.</p>	<p>Change 'is' to 'are'.</p>
<p>6.8 Acknowledge the role of the Health Authorities, the CCG and "private" providers like Fortis and BUPA.</p>	<p>This can be added to the Reasoned Justification under Policy MC2 'Healthy Communities'.</p>	<p>Add to Reasoned Justification.</p>
<p>6.8.3 Should "deaneries" be "generis"?</p>	<p>Noted and amend.</p>	<p>Change to generis.</p>
<p>6.8.5 What about the recommended changes to CIL and S106. Only "contact"? What have they, must they, do with any response?</p>	<p>Noted and add text.</p>	<p>Add at end of 6.8.7 'The applicant should demonstrate within the application that following dialogue with health care providers and commissioners there is sufficient provision within the catchment area of the site. If there is insufficient capacity, the applicant may need to make provision or contributions towards the provision of health care facilities'.</p>
<p>6.8.8 MD1 para 6 "Parishes" ethic should be "Town's". Bin stores – they are not just about screening but can also – even with a screen – devalue the appearance of a property. Just look at the ghastly intrusive bin store/screen on the converted property along Court Road! If we can say all this detail why cannot we require that buildings, inside and out – and particularly the width of doorways – are suitable and convenient for use by disabled people, including wheelchair users, and elderly people. On a separate aspect entirely, why can we not insist that houses have protection</p>	<p>Noted and amend in policy MD1. Policy MD2 'Development and Accessibility Principles' requires that all new residential developments incorporate Lifetime Homes requirements which ensures that homes can be adapted through life and it's experiences. The issue of internal design comes under separate legislation such as Building Regulations. In cases where development is located within higher flood risk areas planning guidance requires adaptation designs, such as those suggested, should be</p>	<p>Amend policy MD1.</p>

against inundation – like higher up the wall plugs and, where needed, special air-bricks of the kind invented in Worcester!	incorporated into the scheme.	
Para 7.1 spelling of “policies”	Noted.	No change
Para 7.7 “centre managers” where have these come from? Appointed by whom? Will they be employees? If so, of whom? Who will regulate the inter-relationship with current trading associations and who will have the final say on anything? Do we not have a surfeit of specialist “managers” in the Public Sector?	There are examples up and down the country of Town Centre Managers with the remit of working with traders and other stakeholders to improve the retail environment, bring in investment, increase publicity and awareness, etc. The details of how and who employs them can be discussed and agreed.	Await further comment.
We should not – given the diffidence of MTC the other day – comment on the detail of basketball court proposals in Victoria Park. There are a stack of other proposals in the pipeline – equally worthy of acknowledgement.	Please provide details on the other proposals?	Await further comment.
7.18 Again, potential changes in the law are not acknowledged. MTC must “continue” to lobby on CIL because we have done a great deal already.	These are potential. When the changes have been made, a future version of the NP can include the details.	Amend paragraph to refer to potential changes to CIL.
8.2 MHDC should have matters “reported” to them as well.	Lobbying on CIL matters is outwith the NP process. Noted and amend.	Amend paragraph to include the monitoring of the NP to be reported to MHDC.
Appendix 6.4 para24 Woolworth’s has gone, now Iceland.	Noted and amend.	Replace ‘Woolworth’s with’ Iceland’.
Malvern Link para 7 Is this the former Picture House/Dance Hall in Hampden Road? If not, should this be included?	These buildings are listed in MHDC’s three Conservation Area Appraisals and Management Strategies. The NP suggests that these buildings should be nominated to MHDC for local listing. The process of nominating buildings is already underway with an initial list of 16 buildings and structures submitted to MHDC. There are no doubt other suitable candidates that could be submitted for nomination in the future.	No change. MTC to compile further nomination forms for submission to MHDC following completion of the process for the initial candidate buildings.

<p>And finally, on minerals, I know that a lot of water has gone under the bridge and that there are various plans and so forth, but none seem to acknowledge the 1960s High Court Judgement on mineral extraction on the Malvern Hills (Pyx Granite v MHLG). The final paragraph on minerals – even if unavoidably accurate – is inappropriate for inclusion in that it leaves open the possibility of planning permission.</p>	<p>Minerals are outside of the remit of neighbourhood planning.</p>	<p>No change.</p>
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Cllr Jerry Thomas

Comment	Response	Action
<p>I find it hard to believe that the draft produced is the best that could be achieved after 3 years. It bears little or no resemblance to the pathfinder plans on which I thought we were basing ours. I am not aware that the committee ever envisaged a dry dull document, full of planning speak. It is too long, unimaginative, and could apply, without change to half of England. Given that the climate has changed in the succeeding months and there is now little or no enthusiasm for these plans, my personal view, expressed some months ago, is that we should cut our losses and wind up this scheme. A document like this will never be owned by the residents.</p>	<p>Noted. The document will be part of the statutory development plan and therefore needs to include planning terminology.</p>	<p>No change.</p>
<p>I believe that the vision and objectives are non-Malvern specific, should be completely re-formulated and presented in a dynamic and imaginative way, with little or no caveats. This is a vision.</p>	<p>Please would you elaborate on what specifically you would like included within the vision and objectives?</p>	<p>Await further comment.</p>
<p>Policies should be bold, forward-looking and Malvern specific and of the 30 listed how many are relevant?</p>	<p>Noted. In my view they are forward thinking and specific to the issues within Malvern. They also have some flexibility to deal with issues that may arise in the future. The policies also need to meet the basic conditions.</p>	<p>No change.</p>
<p>ME1 says nothing</p>	<p>This policy seeks to ensure the protection of the proposed employment allocations within the SWDP for employment use rather than residential. This is an attempt to prevent what happened at DERA North site.</p>	<p>No change.</p>
<p>ME2 could be anywhere</p>	<p>An issue that was raised from the employment</p>	<p>No change.</p>

	working group and other evidence is the need within Malvern for facilities for small scale starter businesses. This policy seeks to support in principle proposals for developments that would provide accommodation for these businesses.	
ME3 says nothing	This policy is in three parts and relates to the land that is currently designated employment land which provides the bulk of the jobs and economic development within the plan area. The first part supports in principle, subject to criteria, the development of employment related uses. The second part seeks to protect, unless specific criteria are fulfilled, existing employment uses on employment sites from being lost to non-employment related uses. The third part acknowledges that there are already established non-employment uses on some employment sites and this policy allows, subject to certain criteria, the replacement of these uses.	No change.
ME4 will it?	In response to another comment the policy will be amended to remove 'the Town Council will support'	Amend as per previous response.
Neighbourhood parades - why be so negative and defensive, surely our parades need to be vibrant and in use.	The policy seeks to protect shops within neighbourhood parades from being lost to other uses. This is to exactly what is being suggested and maintain these vital local amenities.	No change.
The transport group came up with some innovative ideas and possible solutions which surely deserve more promotion and prominence.	The work of the transport working group is included within the Evidence Base Report July 2016 (updated March 2017). There were indeed innovative ideas much of which was non-planning related and I recommended that these be pursued outwith the neighbourhood plan process.	No change. On list of non-NP issues for MTC to bring forward.
Quite honestly, I was bored and switched off by	Noted.	N/A

<p>page 10!</p> <p>If this is the best that can be achieved after three years, ditch it. It is not worth pursuing.</p>	<p>Noted.</p>	<p>This is for MTC to decide.</p>
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Cllr Brian Reginbeau

Comment	Response	Action
Happy with the policies etc. in the NP and has no further comments to make, other than it is a very comprehensive document.	Noted	N/A